STATE OF WISCONSIN

Messages to the Legislature

AND

Proclamations

OF

EMANUEL L. PHILIPP

GOVERNOR, 1915-1921

MILWAUKEE
WISCONSIN PRINTING COMPANY
1920

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MESSAGES TO THE LEGISLATURE

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I.

MESSAGES TO THE LEGISLATURE.

1915 SESSION.

Regular Session Began January 13, 1915;
Ended August 24, 1915.

Extraordinary Session Began October 10, 1916;
Ended October 11, 1916.

GOVERNOR'S MESSAGE

Madison, January 14, 1915.

To the Senate and Assembly:

Pursuant to law and established custom I submit to you a statement of conditions in our state government such as would seem most important for your consideration at this time. The printed reports of the several departments, giving detailed information, will be submitted to you without delay.

The most important problem that confronts us at this time is to introduce economies in the management of our state affairs that will produce substantial reductions in state expenditures and make a reduction in state taxes possible. The people demand retrenchment.

In the year 1900 the cost of the state government reached the sum of $4,000,000. In the political campaign that was carried on in that year this amount was claimed to be excessive, and much criticism was indulged in by the press and from the stump of what was termed an extravagant use of the public funds. Economies that would bring about a substantial reduction in expenditures were promised. However, instead of reduction there has been a steady increase until at the close of the fiscal year 1913-14 the state's expenditures had reached the sum of $15,138,051.99.

The following table of total expenditures for the period in question shows the large and steady increase:

STATEMENT OF NET EXPENDITURES OF THE STATE OF WISCONSIN FOR EACH FISCAL YEAR ENDING JUNE 30:

1903	$ 6,046,565.06
1904	5,855,446.80
1905	6,349,800.94
1906	6,793,912.53
1907	7,206,058.58
1908	8,612,289.95
1909	10,195,031.83
1910	10,459,978.14
1911	10,194,291.50
1912	11,332,874.51
1913	13,786,766.07
1914	15,138,051.99

These vast expenditures are partly due to a policy of expansion of the state's activities far beyond what was formerly conceived to be the proper function of government, to a lack of business system in organizing these activities, and to the further fact that the legislatures have been too generous in their appropriations for the support of the several public institutions. This, together with the rapid rise in local taxes, largely affected by our state policy, has created a demand for a thorough reconsideration of our aims and methods, and has made some measure of relief imperative.

From the report of the Tax Commission, which I now have before me, I learn that the total amount of taxes for local and state government for the fiscal year ending June 30, 1914, aggregates nearly fifty-two and one-half million dollars. The following table shows the amount derived from each source classified according to the system of taxation which produced it:

General property tax	$41,596,960.00
Corporation taxes	8,437,906.00
Income tax	1,950,415.00
Inheritance tax	458,903.00
Total	$52,444,184.00

These figures show why the people are complaining of high taxes and are clamoring for a change in the policies that have produced such enormous expenditures. The results of the recent election justify the statement that there is a general demand among the

people for a substantial reduction in taxes, and I regard it as my plain duty to recommend to you a policy of strict economy.

Public institutions that have been the recipients of too liberal appropriations may not be willing to have their financial support cut down, and we may reasonably expect strong opposition to any effort to inaugurate a financial policy that will conform to the demands of the people. However, I regard my election as governor as a contract with the people to reduce the expenditures of the state government to a reasonable basis, and I propose to fulfill that promise so far as it is within the power of the executive to do so.

The people have expressed a demand for a closer adherence to constitutional government, and to the use of sound business principles in government. This demand for economy, as I interpret it, does not mean that we should oppose those things that make for human progress; on the contrary, successful government, like all other successful institutions, must move forward and increase its usefulness to man. The people of Wisconsin want a government that is humane in its tendencies, truly progressive and responsive to the demands of a more complex civilization. In meeting these demands, however, we should not allow our zeal to lead us into costly fads, nor should we forget that a waste of the people's substance is not helpful to the cause of human progress.

BOARDS AND COMMISSIONS

One of the tendencies of our state government in recent years has been to create a large number of commissions or bureaus to which has been delegated a large part of the functions of government. While some commissions are useful and, therefore, indispensable, quite a number can be abolished and others consolidated, greatly reducing the number of employes and in that way effecting a substantial saving. It should be our purpose to retain every service rendered by the state at this time that is useful to the people and is worth what it costs. But in rendering this service care should be exercised so as to prevent duplication of employes, and their duties should be so arranged as to enable them to give the maximum service.

We can not proceed by a mere policy of abolishing commissions; we must retain certain ones in view of the fact that there are now certain lines of service which this form of administration is best

suited to perform. Government was not originally planned to engage in business. Its formal methods of procedure were hardly suited to meet and dispose of the multitude of details which come up in a business institution. In certain modern developments of governmental activity this freehanded efficiency came to be needed. Commissions, whose powers are to a large extent a mixture of the legislative, the executive and the judicial, form this more flexible arm of governmental administration; and insofar as this freehandedness makes for efficiency and dispatch, without the assumption of unsafe powers, they are wholly to be commended.

However, along with this new-found advantage, there have developed certain dangers and disadvantages. It seems to be inherent in the nature of such bodies to run into extravagance. This is partly due to the fact that while they are virtually engaged in running a business they are not held back by the business man's consciousness that it is his own profit and loss which is at stake; and partly to the system of organization which enables them to proceed with too little check. The commissions and boards that are now carrying on a large part of the functions of government are entirely independent of any control by the constitutional officers of the state who are elected by the people, and who are directly responsible to the people. It may be said that in Wisconsin the major part of the state government is carried on by bureaus that are independent of the people. The commissioners, being appointed by the governor, are authorized by law to appoint such assistants as they see fit. They regulate the salaries of their own employes and audit their own bills. The commissions are numerous, each line of activity being vested in a separate board with its own set of employes. This system has led to much duplication of service and great extravagance.

The agencies of government should at all times be kept under the control of the people and made responsible to the people. It was so intended in our original plan of government, and whenever we depart from that, as we have in this instance, we deprive the people of the power of self government.

The people wish to hold the governor responsible for carrying out a large part of their governmental policy. This, I believe, is particularly true in the matter of expenditures, for it is in the nature of his office to act as a check upon other branches of the government. I believe it to be right, therefore, that the chief execu-

tive should be held responsible, so far as is possible, for the administration of government, and particularly for any extravagance that may be connected therewith. Such responsibility naturally devolves upon him, for as he is elected by the people, he can be made immediately responsive to their will.

However, under the system of commissions and bureaus as established under our present law, the governor is without power to influence the expenditures of such bureaus except so far as he may exercise his veto power over appropriations made for their use. Once they have received their money there is nothing to influence them toward a policy which will make their expenditures any less than this maximum amount. Their whole nature is to expand.

That the people wish to rely upon the governor to exercise a better control over public expenditure, will, I believe, not be questioned by those who understand present day public sentiment. It would, however, be manifestly unfair to hold the executive responsible for expenditures that he can in no wise control, and I recommend that the laws creating commissions be so amended as to give the governor some measure of supervision over the expenditures of these bodies.

In the work of consolidating some commissions and discontinuing others I wish to lay emphasis upon the necessity of retaining all those features of each that have proven useful to the people. The Railroad Commission is performing a useful service and deserves to be liberally, though not extravagantly, supported. This body is conducting investigations of railroads and public service corporations, much of which information is of like nature with that needed by the Tax Commission and the results of which can be made available for the Tax Commission so as to relieve that body of the necessity of duplicating the work of the Railroad Commission. In the interest of economy the field work of the Tax Commission should be cut down as much as possible, especially where it can be covered by the investigations of the Railroad Commission.

I recommend as a further economy that the services of income assessors be dispensed with and that their duties be transferred to the local assessors and tax-collectors. If local assessors can be trusted with the assessment of real estate and all other taxable property, I fail to see any good reason why they should not be trusted with the assessment of incomes. The matter of securing full returns of taxable incomes is achieved by the penalties provided

by law more than by any activity upon the part of the income assessor. This rule would also hold true in the assessment of personal property for which the income tax is a substitute. Inasmuch as 90 per cent of the income tax goes back to the counties and municipalities in which it is collected, it is safe to assume that the local assessors will not lack in energy to get a full return. The Tax Commission reports the cost of collecting income tax for the fiscal year ending June 30, 1914, as $99,207.59. This amount can be largely saved to the state by the change in system which I have suggested.

During the short time that I have been in office I have not been able to examine the present organization of commissions and boards in sufficient detail to enable me to make practical and specific recommendations as to the consolidation of some and the abolishment of others. It is, however, the business of this administration to abolish all that are useless and to greatly reduce the number of those institutions, and as far as it is practical to bring the government back to the constitutional officers of the state. I, therefore, recommend that you make a thorough investigation of the entire subject with a view to meeting the public demand.

WORKMEN'S COMPENSATION

The Workmen's Compensation act is correct in principle and should receive the attention of the legislature with a view to further perfecting it. The basic idea of the law is that the injured workman shall be compensated as soon as possible and without litigation. The definite schedule of injuries enacted by the legislature has enabled the employer and employe, in a large number of cases, to decide between themselves what the verdict will necessarily be. This has not only relieved the workmen of the expense of litigation but has to a considerable extent relieved the state of the expense of sending inspectors to assist in settlement.

Nevertheless, the cost of conducting the affairs of the Industrial Commission has grown to a large sum. For the fiscal year ending June 30, 1914, the cost of the commission was $104,973.00. It seems that a large item of this cost is due to the expense of sending out inspectors on individual cases, and the ultimate perfecting of the law will result in materially reducing this part of the cost of administration. With a view to making settlements easier for

the workman and his employer, and for the purpose of reducing the cost of administration, I recommend that the schedule be perfected, either by amending it where the commission has found it inequitable and unsatisfactory or by enlarging it to cover a greater variety of cases. I suggest for your consideration that the initial service in each case shall be performed by the county judge in the county where the injury occurred.

The law now provides that all appeals from orders of the commission shall be taken to the circuit court of Dane county. This provision makes litigation under the act unnecessarily expensive and is inconsistent with the spirit of the law. I would suggest that the law be changed so that cases appealed to the circuit court may be tried in the circuit where the claim originated.

LEGISLATIVE REFERENCE BUREAU

The legislature of 1903 created a legislative reference library. Its purpose was to furnish information to members of the legislature upon such subjects as related to legislation. It has since been converted into a bill drafting institution where proposed laws are furnished upon application without any further effort upon the part of the legislator. This system has had the effect of greatly increasing the number of bills introduced and has resulted in the passage of a great many useless laws. The legislature of 1913 passed 778 bills.

The purpose of the original act creating the library was good. However, we must now judge its value by the record it has made, which I believe to justify the statement that it has exercised an undue influence upon legislation. It has resulted in outside preparation of bills for legislative action, superseding individual legislative study, and greatly impairing legislative efficiency to act as the result of that individual judgment which members of such a body should devote to the work they were elected to perform. Originally projected as a library, it has in every sense become a bureau. I therefore recommend that the law creating the bureau, as it is now known, be repealed. This will have the effect of saving about $21,000 per year.

STATE PRINTING

The cost of state printing has grown to an enormous sum. Each year has shown an increase. In this connection the following table is interesting:

Fiscal Year.	
1900-1901	$ 42,138.69
1902	60,413.05
1903	53,948.87
1904	84,916.27
1905	60,650.08
1906	109,959.58
1907	108,998.98
1908	162,045.21
1909	103,448.75
1910	163,351.88
1911	123,312.25
1912	204,427.11
1913	217,047.08
1914	259,665.50

The State Board of Public Affairs has recently investigated this matter and strongly criticises the lack of system. The following statement appears in its report: "Evidence of waste and inefficiency are to be found on every hand resulting largely from practices which have been passed on to each succeeding administration. Such costs of waste as this study has disclosed are evidences of the inefficient past." The report would indicate that printed matter is ordered in too large quantities. It says: "Too many volumes are issued and there are too many pages in the volume."

A large quantity of printed matter that is now worthless has accumulated. The report states that 786,390 books and pamphlets are now stored in the south wing of the capitol building. It appears that one of the sources of expenditures is the cost of printing a large number of Blue Books, the last legislature having authorized the publication and distribution of 37,500 copies. Indiana issues 1,700; Ohio 8,000; Illinois 10,000; Minnesota gives fifty copies to each member of the legislature, and Iowa gives sixty copies to each member. Members of the last legislature in our own state received 250 copies each.

The number of Blue Books authorized and printed is evidently too large and should be cut down to such a number as can be distributed among the people with profit to them.

The entire subject of printing deserves consideration and I recommend that some better supervision be established by law over the matter of public printing in order that useless publication may be eliminated and that some regard be had for the probable demand, thereby substantially reducing the expense.

STATE INSURANCE

It has been the policy of the state since 1903 to assume the fire risk on its own buildings. The insurance carried on state property by the state is reported by the commissioner as $17,670,000. In addition to this there is on the statute books of the state a provision that all property of cities, counties, villages and school districts, after favorable vote on the part of boards or councils having charge of such public property, may contract for their insurance protection with the commissioner of insurance. The amount of insurance carried under this provision is reported to be $1,595,359, making a total of insurance carried by the state of $19,265,359. The insurance commissioner under date of December 18, makes the following statement concerning the condition of this fund:

ASSETS

Cash in hands of state treasurer	$62,701.91	
Premiums in process of collection	68,936.69	
		$131,638.60

LIABILITIES

Unearned premiums	$41,194.55	
Due to general fund	78,137.99	
		$119,332.54
Surplus over all liabilities		$12,306.06

The Board of Regents of the normal schools have recently brought an action in court to compel the insurance commissioner to turn over to the normal school fund an additional sum of $106,800 in settlement of a loss caused by the destruction by fire

of the state normal school at Superior. It is evident from this that if the courts finally order the payment of this amount the insurance fund will show a deficit, either in case the state sustains a loss of the amount involved, which means that the premiums accredited to the insurance account in the past ten years have not accumulated a fund that protects the state against loss either by fire or tornado; in fact the state has lost a substantial sum of money by not insuring its property. If any considerable loss should occur at this time of the property of the counties, towns or villages now insured with the state it would be necessary to pay it out of the general fund, and this raises the constitutional question whether the insurance commissioner has a right to use money out of the general fund to pay losses occurring to county or municipal property.

The present condition of this fund after an experience of ten years demonstrates conclusively that state insurance on the basis on which it has been carried on is a failure. I believe this to be due to the fact that the value of the units insured bears too large a proportion to the total risks carried. Losses seem to occur frequently, and the amounts are uniformly large, which seems to make the project unsafe and therefore undesirable. I therefore recommend that the present system of state fire insurance be discontinued, and more reliable insurance be substituted therefor.

HIGHWAYS

The state now is engaged in what is generally conceded to be an extravagant system of highway building. There is annually appropriated out of the general fund $1,200,000 for state aid, and $100,000 to the highway commission with which to carry out the purposes of the act. It must be borne in mind that in addition to this the towns and counties which ask for state aid must each furnish an equal sum to that provided by the state. If the appropriation for 1914 is used the total amount expended on state aid roads for that year would be $3,600,000, exclusive of the expense of the commission and whatever the towns and counties might have expended for supervision. This amount is generally regarded by the people as excessive and burdensome to the taxpayers. The people generally wish to continue to improve our

highways, but there is a widespread feeling that we should be more conservative in the use of public funds for that purpose.

It would seem that the first step necessary in proceeding with this project is to organize, under the supervision of a competent highway engineer, a staff of practical road-builders, and this, it is generally conceded, is difficult to secure. Furthermore, there still is much doubt in the minds of practical men as to the best material to be used in the construction of highways. These facts, together with the opposition to high taxes, make it imperative to proceed on a more conservative basis.

The project presents an engineering feature which should be supplied by the state. There must be uniformity in the plan of building roads. Furthermore, state aided work should be carried on in accordance with the requirements of the state. This, however, does not make it necessary that the state should carry out the work of actual construction. It is generally conceded that county authorities being familiar with local labor conditions, are able to produce greater results for the money expended.

The condition of many state roads that but recently have been built proves conclusively that it is necessary to make better provision for their maintenance. It will be a waste of money to go on with these great expenditures for highways unless suitable arrangements are made to keep them in repair.

STATE FORESTRY

In 1903 the legislature created the department of forestry, and began the project of reforesting cutover timber lands in the northern part of the state. There is annually appropriated $35,000 to pay the salaries and carry out the provisions of the act. The legislature of 1911 made an appropriation of $250,000, distributed over a period of five years, for the purchase of additional lands, and the law further provides for an annual appropriation of $10,000 which can be expended by the state land commissioners for the purchase of lands that have reverted to counties for taxes and for other lands. This appropriation has been used each year since it was authorized. The total appropriation available to the forestry department is $95,000 per annum.

The state set aside all swamp lands that were left north of town 33 and the department has the use of the income from

these lands derived from the sale of dead and down timber, from trespass and from sales of scattering and agricultural lands that are not suitable for forest reserve. The state forester reports that the income from this latter source has been large, the total being $435,476.13. Of this amount $381,706.88 has been expended or reinvested. He reports the following investments in lands:

Appropriations for lands expended	$146,027.48
Income from swamp lands reinvested in other lands	272,781.22
Total	$418,808.70
Amount due on lands remaining unpaid (because of question pending before supreme court)	$130,817.35

There has been expended for improvements $121,522.60, making a total investment for the state of $671,148.65 since the organization of the department, exclusive of the cost of supervision and planting.

The state forester reports that approximately 1,000 acres of land have been replanted and that the average cost is $4.98 per acre, and that the output of the state's forest nurseries will be sufficient to plant about 1,000 acres per year, the cost of which will approximate $5 per acre. The validity of certain purchases of land for this department, and the question as to whether the state has the authority to place any of the school fund lands including lands set aside for school purposes out of the swamp land grant, university fund lands or agricultural college lands in the state forest reserve and the further question whether the using of revenue raised by present taxation to promote production or improvement for the benefit of future generations is using money for a public purpose within the meaning of the constitution, are now pending before the supreme court. Whether the state can proceed with the project of reforestation as now planned will depend upon the judgment of the court. Even though there were no legal obstruction I believe it to be a questionable project.

It can be urged to be a moral obligation to future generations to replace this valuable natural resource with which our state was so abundantly supplied. However, it seems perfectly clear that that obligation rests upon the national government. The virgin forests of our state provided a timber supply for a large part of the country. It would have been morally wrong to at-

tempt to confine its use to our own state. For the same reason it would be morally wrong to attempt to confine the use of the timber supply of the future to the people living within the state. Inasmuch as the product must always be available for all the people it is clearly the duty of the United States government to provide for the future supply. I believe it would be manifestly unfair to tax so small a political unit as the state of Wisconsin for the purpose of producing a resource that will in the end be for the benefit of the people at large.

As a business proposition it should not appeal to us. We have had sufficient experience to convince us that the annual cost is large and that the investment which has already reached a large sum will continue to grow rapidly in sums that will burden the taxpayers. There is a diversity of opinion among experts and practical men as to the time required to produce a tree that can be converted into merchantable timber. The estimates run from fifty to 100 years. It should not require much argument to convince anyone that a business proposition which cannot possibly pay any returns for a period of from fifty to 100 years is not attractive, and is, as a matter of fact, an unwise investment. Furthermore, the property is subject to destruction by fire or storm; therefore it is not exempt from the ordinary business risk.

The project is open to the further objection that it removes so large an acreage from the tax roll of sparsely settled counties in the northern part of our state as to make local taxation burdensome to the remaining property. It is open to the further objection that any large and contiguous tract of land in Wisconsin must necessarily contain a considerable amount of land that is suitable for agriculture. The time is coming, and judging by agricultural development for the past fifty years it is not far away, when every acre that will produce a crop will be demanded by the people. Everywhere in the country the forest tree has been obliged to yield before advancing civilization, and the northern part of our state, which is rich in soil, will not be the exception. When that time comes your legislature will yield to the demands of the willing settler, and your forest reserves will be converted into farms, regardless of what it costs the state to plant the trees.

In view of these many objections I recommend that there be no further expansion of the policy of reforestation, and that agri-

cultural lands in the forest reserve be thrown open to settlers, in lots not to exceed 160 acres for each applicant, and that further appropriations be cut down to what may be necessary to protect the property that the state now owns.

STATE UNIVERSITY

The people of our state have been generous in their support of public education. While it is clearly their purpose to build up an educational system that will give equal facilities to all the people, it appears that in recent years a tendency has grown up under which higher education receives a rather disproportionate amount of the money available for educational purposes. This state of affairs has directed the attention of the people to our educational institutions and has subjected some of them, and particularly our state university, to severe criticism.

The people wish to maintain the university as a first class institution of learning; however, the amount of money needed to meet its demands is so large that the people have come to regard it as being unnecessarily extravagant and there is a general demand for a substantial reduction in the appropriations.

As a result of this growing feeling, the state board of public affairs ordered a survey, a report of which, covering a year of investigation, will soon be submitted to you. The discoveries of the investigators are many, and cannot be discussed in this message. No doubt there is sufficient information in the report to enable you to correct the faults of the institution, whatever they may be.

There are certain features of the report to which I desire to call your especial attention. I have been informed that the report will show that there is now sufficient room, if economically used, to meet the demands of all departments, and accommodate all the students in attendance. If this is true it should put an end to building operations until it can be demonstrated that additional buildings are absolutely necessary, and appropriations amounting to $650,000 which were made available on March 1, 1915, and any other appropriations for building purposes the contracts for which have not yet been approved, should be promptly repealed.

I also wish to call attention to that part of the survey which

deals with the subject of nonresident students. It is stated that nearly 1,400 are now in attendance who are not residents of the state of Wisconsin. This is a large per cent of the total attendance and raises the question whether the taxpayers of the state wish to maintain a university that will furnish facilities without limit to nonresident students, and whether the presence of so many students of this class is not working to the disadvantage of the young men and women who are residents of the state.

There seems to be a diversity of opinion on the question of annual per capita cost. However, the tuition fee of $100 per annum which nonresident students pay evidently does not compensate the state for the amount of money expended for teachers and facilities, and the amount that is lost annually on nonresident students is large.

In considering this question we must take into account the value that the university management places upon the broadening influence that the presence of the nonresident has upon our own people. At the same time we must not lose sight of the fact that the university is maintained by the taxpayers of the state and that the average taxpayer of the state of Wisconsin is a man of moderate means who is struggling to educate his own children and in most cases succeeding only partially.

In addition to the increased cost to the university it is pointed out that the presence of so many nonresident students in the capital city has created a competition for living accommodations and as a result the expenses which resident students have to meet have been materially advanced. We should not adopt a narrow policy of excluding nonresident students. We should, however, charge a tuition fee that will compensate the state for the cost of their education, and we should limit the number who may be admitted to suit the present facilities of the school after resident students have been taken care of.

To offer free educational facilities to the world is a laudable undertaking; however, it is one which should be taken care of by men of wealth. I think it only fair to say that the American millionaire has made liberal provision for educational facilities which are open to all who may apply. Our country has many splendid colleges that are richly endowed and whose doors are open to foreigners as well as people of our own country. But our own institution is maintained by taxpayers and is limited in

its resources to an amount that can be collected from the people without becoming a burden to them. Furthermore, as they maintain the institution they should be given prior rights to its benefits.

There are many other features of the university to which I would feel impelled to direct your attention were it not that you are about to have laid before you the report of the extensive investigation made under the direction of the state board of public affairs.

NORMAL AND RURAL SCHOOLS

A very liberal policy has been pursued in the matter of building state normal schools. Eight are now in operation and a new one is now in process of construction. This policy has greatly increased the expenses of that branch of education. The appropriation by the last legislature for normal school purposes exceeded $1,000,000 for the year ending June 30, 1914. If these schools are to be used exclusively for training teachers it would seem unnecessary to build any more of them.

A comparatively small number of graduates from these schools accept employment as teachers in country schools, where they are most needed. A greater number are employed in the graded and high schools of the cities, where they receive larger pay and the profession of teaching is more attractive. The rural school courses in our state normal schools, in our high schools and in our county training schools are furnishing but forty-five per cent of the teachers called for each year in our country schools. While trained high school and graded school teachers are being supplied in sufficient numbers by the university and the normal schools, the supply of adequately prepared teachers for the rural schools still is a problem. It is no unfair criticism to say that legislatures in the past have been lavish in their expenditures for the university and most liberal in their appropriations for the normal schools, while the rural school, which is the school of the masses, has been neglected.

The first step necessary to improve our country schools is to provide a better equipped teacher. In order to do this we must provide preparatory institutions within easy reach of the young men and women in the country who are willing to make rural school teaching a profession.

This I believe, can best be obtained by a further extension and improvement of our present system of county training schools. Twenty-eight counties have established such schools under state aid, and this policy upon the part of other counties should be encouraged. The teaching of rural schools, requiring as it does, a teacher who can teach all grades, should be a distinct profession. This, however, cannot be hoped for unless the salary of the teacher is at least equal to that paid by the graded schools in the city. If the state aid which is now provided by law is not sufficient to bring the salaries to the necessary standard, additional appropriations should be made for that purpose. However, salaries from state funds should be based upon years of service.

COUNTY SCHOOL BOARDS

The last legislature passed an act creating county school boards. These boards are practically without duties, and there is general complaint that because they are without functions it is an unnecessary expenditure of money. I recommend that the law creating them be repealed.

Our common schools and particularly our country schools need more and better supervision. The development of the common school should be carried out under the supervision of the state superintendent of public instruction and the county superintendents, as the law now provides. There is a well-founded complaint that many of the latter officials are not well qualified and that others do not devote enough time to the work of supervision to produce results. Much of the inefficiency is due to the fact that the compensation paid by counties to county superintendents is not sufficient to attract competent men. An adequate salary should be provided by law. In many counties there are so many schools that the superintendent finds it impossible to give the necessary supervision as time will permit him to make only a brief call at each school in a year. In such counties he should be given assistants according to the number of schools.

A CENTRAL BOARD OF EDUCATION

A systematic development of our educational system would be better accomplished if our educational institutions were placed

in charge of a central board of education, instead of having a number of boards as at present. The fault of the present system is that each board sees only its own institution, and manages it without due reference to the system as a whole. The board of regents of the university have been very successful in securing appropriations from the legislature. Their case is always ably presented and the prestige of that institution naturally brings much influence to bear upon members of the legislature. The largely increased appropriations at each session bear testimony to the superior abilities of its representatives in securing money from the legislature.

The board of regents of the normal schools also are an influential body. With their schools distributed about the state they are in good position to bring local influence strong enough to secure for them and their institutions all they ask for. The common schools, which are the schools of the masses, are not thus represented, and do not receive their fair proportion of all the money available for educational purposes.

The result is that we are building our educational system from the top down instead of from the bottom up. This system is wrong, and needs to be corrected in the interest of the people. A single board of education, representing all of these interests, would give better business management, would cause the monies to be more equitably apportioned and correlate the state's educational activities.

I recommend that the board of regents of the university and the board of regents of the normal schools be abolished, and that there be created instead a central board of education.

I suggest that this board consist of thirteen members, eleven of whom shall be appointed by the governor. There shall be on said board three presidents of normal schools and two county superintendents of schools, and the president of the university and the state superintendent of public instruction shall be ex-officio members.

Besides those members actively engaged in educational pursuits, there shall be three members who shall devote all of their time to the work and shall receive pay for their services, and three members who shall be appointed and serve on stated occasions as the work requires without compensation.

I believe that the instructional side of our educational institu-

tions should be represented by educators and the business side by business men. A board so constituted would be evenly balanced to meet all requirements of these institutions.

SCHOOL TRUST FUNDS

I feel it encumbent upon me to call your attention to the condition of certain trust funds held by the state. For the purpose of aiding the union in its prosecution of the civil war and for payment of bounties to volunteers from Wisconsin and for temporary aid of families of Wisconsin soldiers serving in the union army, the state raised and expended large sums of money by the issue and sale of its bonds. This was done under the authority of an act of the legislature passed in 1861. In addition to the bond issues some monies were taken from the trust fund for which certificates of indebtedness were issued directly, these bonds and certificates amounting in the aggregate to $2,100,000. In 1866 the state took up all of the war indebtedness of $2,100,000 and in addition $100,000 of improvement bonds with trust funds of the state, issuing therefore certificates of indebtedness to the amount of $2,251,000. In this amount there was included $51,000 of accrued interest. Under authority of the laws of 1866 the entire indebtedness, including the amount thereafter to become due, was apportioned among the several state trust funds, and state certificates of indebtedness bearing interest at the rate of seven per cent per annum were issued therefore. These certificates, amounting in the aggregate to $2,251,000, remain unpaid.

The United States government has from time to time, under act of congress, reimbursed the state for the obligations incurred by it for war purposes, the state having received in the aggregate $2,257,291.74. Two large payments were made in recent years. In 1903 the United States government remitted $458,677.90, and in 1905 $727,740.18. The funds so received from the general government belonged to the trust funds and should have been used to pay the state's certificates of indebtedness to the said funds. This money, however, was placed in the general fund for the evident purpose of reducing the tax levy in those years. This transaction would seem to be an unlawful diversion of trust funds, and provision should be made to retire these certificates of indebtedness.

I recommend that an appropriation of $100,000 per year be made to create a sinking fund to be used in liquidating this debt.

CONTINUING ANNUAL APPROPRIATIONS

I wish to call attention to the policy of making continuing annual appropriations for the support of numerous public and private institutions. This financial policy has a tendency to keep up the expenditures of these institutions to the amounts made available for them by the appropriations regardless of their actual needs. The system does not contemplate the necessity of the various departments presenting their requirements to each succeeding legislature. In fact it may be reasonably assumed by those interested that the money will continue to be forthcoming without further legislative inquiry.

There should be frequent reconsideration of all state appropriations, and they should be governed by the necessities of the case and the ability of the people to pay. The annual appropriations now in force under this system amount to nearly $8,000,000. This large amount suggests the necessity of a complete revision of these appropriations, and a reduction in the amount to conform to a more economical policy. Public policies with reference to the expenditure of money should be controlled by the same considerations as would affect men in private life. There are many things we may wish to have but are compelled to do without until we can better afford to spend the money.

It is an unfortunate situation in our government, municipal, state and national, that in the expenditures of public money the financial situation of the taxpayer receives no consideration. It would seem that this is a time when public expenditures of every kind should be reduced to a minimum. With the people's income much reduced high taxes become a burden. There may be many things that they would wish to support liberally, at other times, but which, because of the general depression in business, they would now wish to forego.

WATER POWERS

The development and bringing into use of the water powers within the state is a matter which should receive your careful attention. Most if not all powers of considerable magnitude are

located upon navigable streams. As to such streams the public right of navigation is superior to any other, but the state has no proprietary interest in the water powers. They belong to the owners of adjacent banks, and it will be manifestly to the public advantage to have them improved and put to use in operating mills, factories and for other beneficial purposes. In the interest and for the protection of navigation it has long been the policy of the state to permit the erection of dams or other works in navigable streams only upon consent of the state, and this policy should be adhered to.

From an early time and until about ten years ago consent of the state was freely given by numerous special acts for the erection of dams and the development of water powers, and a large number were developed, furnishing power to important industries and promoting the growth and prosperity of the communities in which they are located. For nearly ten years there has been no substantial improvement of water power properties because of the unfavorable legislation proposed and enacted during that period. In 1911 a water power bill was passed which declared that water powers belonged to and were the property of the state and contained provisions respecting the development and use of such powers so framed as to carry out that view. This act, being challenged before the supreme court, was held unconstitutional for the reason, among others, that it denied the private ownership of water powers.

In 1913 the legislature enacted a new water power law which, while in form recognizing ownership of water powers by riparians, provided in substance that as a condition of granting to water power owners permission or consent of the state to the erection of dams necessary to utilize their property, such owners should agree in advance to surrender it to the state at any time after thirty years without receiving the compensation which the constitution provides that every citizen shall receive when his property is taken for public use.

The hopes and predictions of the advocates of this law have not been realized, for not a single application has been made under the act for the development of any important water power. It is believed that its terms are so burdensome as to seriously impede, if not absolutely prevent, future development.

Water power is best conserved by making use of it. It cannot

be stored up and held for future use like coal. The power that is not used is forever lost. Legislation should be enacted which will encourage such use; but all the rights of the public, as defined by the courts, should be fully protected. Most of the undeveloped water powers in the state, which are the only ones to be affected by future legislation, are located in the unsettled portions of the state. Many of them are in the wilderness where for the present there is no public to be served by them, and where, for years to come, they must be used for private purposes, if used at all. While the latent power of numerous streams in the northern part of the state is being wasted because no one will invest in water power development under existing laws, settlers in that region, for want of a market, are burning the hemlock and other forest woods which might, by the aid of water power, be converted into paper and other products.

A great many of our Wisconsin cities, in the central and southern portions of the state, owe their location and existence to water power advantages, the use of which the law formerly encouraged. A like development of the northern parts of the state will be greatly hampered if the law, as applied to them, discourages investment.

It would seem to be the part of wisdom to promptly enact a water power bill which will encourage owners to develop these powers and use them for the purposes to which they can now be put, making at the same time ample provision safeguarding the rights of the state and providing that when the state or any municipality shall require the powers for any recognized public use they shall be available therefor upon payment of the constitutional compensation. If they can be used to operate paper or pulp mills or other factories it will result in cities and towns springing up, as well as in giving to the settlers in our wild lands a market for their forest products and the produce of their farms.

So long as the present system of serving the public with light, heat, power and other utilities by means of private corporations prevails, it would seem desirable to give to such private corporations the right to take over developed or undeveloped water powers with which to generate electrical energy for public use whenever in the opinion of the railway commission the public can be best served by so doing. Ample provision should be made to insure

safety in the construction and operation of dams and other hydraulic works.

Formerly franchises for the erection of dams and the improvement of streams were granted by special acts, but it seems desirable to pass a general law authorizing the Railroad Commission to investigate each application and grant permits or franchises under such conditions as the legislature shall prescribe.

TOO MANY LAWS

Permit me to suggest to you that there is no demand in this state at this time for much new legislation. The legislatures that have assembled here in recent years were evidently possessed with the idea that every human ill can be corrected by statute. The last legislature seemed to be particularly active. It remained in session for eight months and passed 778 laws.

Laws that are not supported by public sentiment or for which there is no general demand are but poorly observed; and nonobservance of the law creates contempt for all law. This legislature can render the people a service by removing from the statute books a large number of laws that are useless because public opinion does not support them. People wish to be helped rather than hampered by government, and government will render them the best service when it confines its activities to those things for which government was created. In the past ten years this state has made a national reputation for so-called progressive legislation. Business men declare that we have been fighting business. The results of the last election clearly indicate that the people have reversed their policy in this respect, and they now demand a government that will encourage rather than hamper the development of industry.

EMANUEL L. PHILIPP,
Governor.

EXECUTIVE COMMUNICATIONS

To the Honorable, the Senate:

Pursuant to the statutes governing, I hereby nominate and, by and with the consent of the Senate, appoint

Carl D. Jackson, of Oshkosh, Wisconsin, to be a member of the Railroad Commission of Wisconsin for the balance of the

unexpired term ending on the first Monday in February, 1919, vice John H. Roemer, resigned.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, January 19, 1915.

To the Honorable, the Legislature:

Gentlemen: This is to formally notify you that pursuant to the statute governing, I have this day appointed the following members of the Senate and Assembly to constitute the visiting committee:

From the Senate:

Platt Whitman, of Highland,
W. W. Albers, of Wausau,

From the Assembly:

Carl Kurtenacker, of La Crosse,
Charles Lentz, of Mayville,
Frank L. McGowan, of Endeavor,
Frank B. Metcalfe, of Milwaukee.

The commissions of the members of this committee have been transmitted to the sergeant-at-arms of the Senate and Assembly.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, January 20, 1915.

THE STATE OF WISCONSIN,
Jan. 26, 1915.
Executive Department.

To the Honorable, the Legislature:

Pursuant to the requirements of law, I have the honor to submit herewith the report of the Honorable Francis E. McGovern of expenditures from the Governor's contingent fund during the period from January 1st, 1913, to January 4th, 1915.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

January 26, 1915.

To the Honorable, the Legislature:

Pursuant to the requirements of law, I have the honor to report the following expenditures from the Governor's contingent fund, during the period beginning on the first day of January, 1913, and ending at noon on the fourth day of January, 1915.

Subscription to newspapers and magazines	$ 356.33
1913 inaugural, state dinner, legislative reception, reception to Mayor Blankenburg and visiting Philadelphians, and reception and entertainment of governors attending conference of governors	1,459.06
Caring for Governor Harvey's grave for two years	10.00
Norwegian centennial	202.25
Extra stenographic service required in executive office, and to Welsh & Carney for reporting governors' conference, and to John R. Hayes for expenses incurred in investigating Essman case	638.11
Express, telephone and telegraph	102.28
Printing	144.75
Railroad fare and traveling expenses of private secretary, executive clerk and Dr. J. W. Coon	72.58
Charity, Red Cross seals, contribution to soldiers' monument, etc.	96.08
Notary fee and seal for office	3.75
A. C. Umbreit and H. L. Butler for counsel fees and court costs in state cases	3,352.06
Reward for capture of murderer of Ole Johnson Kjorum (certified to sec. of state for payment under section 132, Wis. statutes)	500.00
Miscellaneous cash disbursement	8.31
	$6,945.56
Cash on hand Jan. 1, 1913	$ 253.27
Credit, Jan. 1, 1913, at office of sec. of state.	3,500.00
Appropriation under section 172-2, Wisconsin statutes	4,000.00
	$7,753.27 $7,753.27

Expended to noon, Jan. 4, 1915.....	$6,945.56	
On hand Jan. 4, 1915.....	807.71	
	$7,753.27	$7,753.27

Respectfully submitted,

(Signed) FRANCIS E. McGOVERN,
Governor.

January 4, 1915.

To the Honorable, the Legislature:

Pursuant to the requirements of the law, I have the honor to submit herewith the report of the Honorable Francis E. McGovern as to pardons and commutations of sentence granted during the term beginning the first Monday in January, 1913, and ending on the first Monday in January, 1915.

Respectfully submitted,

(Signed) EMANUEL L. PHILIPP,
Governor.

Dated, January 26, 1915.

To the Honorable, the Legislature:

I have the honor to submit the following report of conditional pardons, pardons and commutations of sentence granted during the term beginning the first Monday in January, 1913 and ending on the first Monday in January, 1915, together with the reasons which controlled executive action, as required by Section 6, Article V of the Constitution of the State of Wisconsin.

PARDONS TO RESTORE RIGHTS OF CITIZENSHIP AFTER EXPIRATION OF SENTENCE.

Bert Kreger—Convicted before the circuit court for Green County, on the 10th day of March, 1909, of the crime of burglary in the night time and sentenced to state prison at Waupun for the term of five years. Pardon granted restoring rights of citizenship January 18, 1913.

Otto Kutz—Convicted before the circuit court for Marathon County, on the 5th day of June, 1911, of the crime of larceny and sentenced to state prison at Waupun for the term of nine months. Pardon granted restoring rights of citizenship on February 3, 1913.

Arthur Birkholz—Convicted before the municipal court for Marathon County, on the 14th day of August, 1911, of the crime of burglary and sentenced to Wisconsin State Reformatory at Green Bay for the term of 18 months. Pardon granted restoring rights of citizenship on February 12, 1913.

Matthew Ryterski—Convicted before the municipal court for Milwaukee County, on the 26th day of May, 1891, of the crime of burglary, and sentenced to the Milwaukee County House of Correction for the term of three years. Pardon granted restoring rights of citizenship on February 14, 1913.

Sherman B. Spencer—Convicted before the circuit court for Green Lake County on the 22nd day of June, 1906, of the crime of failure to support his wife and sentenced to State Prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship on February 25, 1913.

Andrew W. Olson—Convicted before the municipal court for Dane County on the 2nd day of August, 1911, of the crime of adultery, and sentenced to State Prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship on March 24, 1913.

Theodore Deletzke—Convicted before the circuit court for Shawano County, on the 11th day of March, 1908, of the crime of forgery, and uttering forged instrument, and sentenced to state Prison at Waupun for the term of five years. Pardon granted restoring rights of citizenship on March 24, 1913.

Joseph Glass—Convicted before the circuit court for Marinette County, on the 16th day of January, 1909, of the crime of assault with intent to rob, and sentenced to State Prison at Waupun for the term of five years. Pardon granted restoring rights of citizenship on April 3, 1913.

Thomas E. Goodwin—Convicted before the circuit court for Dodge County, on the 2nd day of December, 1902, of the crime of assault with intent to do great bodily harm and sentenced to State Prison at Waupun for the term of ten years. Pardon granted restoring rights of citizenship on April 11, 1913.

Herman Heinrich—Convicted before the circuit court for Marathon County, on the 11th day of March, 1902, of the crime of burglary and sentenced to State Prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship on May 9, 1913.

Emil Jaegar—Convicted before the district court for Milwaukee County on the 15th day of March, 1906, of the crime of burglary, and sentenced to the state reformatory at Green Bay for the term of not less than three nor more than five years. Pardon granted restoring rights of citizenship on May 14, 1913.

William Burr—Convicted before the circuit court for Shawano County, on the 20th day of November, 1907, of the crime of assault with intent to kill, and sentenced to State Prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship on June 24, 1913.

Frank Gaskey—Convicted before the circuit court for Portage County, on the 12th day of October, 1911, of the crime of embezzlement, and sentenced to state prison at Waupun for the term of eight months. Pardon granted restoring rights of citizenship on June 24, 1913.

Alexander J. Schweichler—Convicted before the municipal court for Milwaukee County, on the 1st day of June, 1912, of the crime of attempted criminal operation, and sentenced to the Milwaukee County House of Correction for the term of one year. Pardon granted restoring rights of citizenship on June 26, 1913.

George T. Gilbertson—Convicted before the county court for La Crosse County, on the 25th day of January, 1909, of the crime of abandonment, and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship on July 22, 1913.

Eden Snyder—Convicted before the municipal court for Milwaukee County, on the 20th day of January, 1911, of the crime of grand larceny, and sentenced to the state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on September 23, 1913.

George R. Howitt—Convicted before the circuit court for St. Croix County, on the 28th day of September, 1910, of the crime of forgery, and sentenced to state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship on October 3, 1913.

Austin Fossnight—Convicted before the circuit court for Lafayette County, on the 24th day of June, 1896, of the crime of seduction and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship on November 5, 1913.

Earl E. Richard—Convicted before the circuit court for Oneida County on the 29th day of September, 1910, of the crime of larceny, and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship on November 26, 1913.

Frank P. Morris—Convicted before the circuit court for Winnebago County, on the 10th day of December, 1909, of the crime of burglary, and sentenced to state prison at Waupun for the term of five years. Pardon granted restoring rights of citizenship on December 6, 1913.

Otto Jeranek—Convicted before the circuit court for Outagamie County, on the 20th day of May, 1905, of the crime of murder in the third degree, and sentenced to state prison at Waupun for the term of ten years. Pardon granted restoring rights of citizenship on December 19, 1913.

Arthur A. McCormack—Convicted before the circuit court for Milwaukee County on the 22nd day of November, 1905, of the crime of accepting a bribe and sentenced to pay a fine of three hundred and fifty dollars. Pardon granted restoring rights of citizenship on December 27, 1913.

Anton Benson—Convicted before the circuit court for Eau Claire County, on the 24th day of March, 1909, of the crime of rape, and sentenced to state prison at Waupun for the term of seven years. Pardon granted restoring rights of citizenship on December 30, 1913, on recommendation of the warden of the prison and the judge and district attorney advising that they did not oppose restoration to citizenship.

Leopold Laev—Convicted before the municipal court for Milwaukee County, on the 10th day of January, 1912, of the crime of making false statement to bank for purpose of procuring credit with intent to defraud, and sentenced to the Milwaukee County House of Correction for the term of one year. Sentence becoming effective on January 8, 1913. Pardon granted restoring rights of citizenship on December 30, 1913, on recommendation of judge, district attorney and other court officers.

Joseph Ignac Hrad—Convicted before the circuit court for Racine County, on the 29th day of April, 1907, of the crime of manslaughter, and sentenced to state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship on January 24, 1914.

William Fiedler—Convicted before the municipal court for Rock County, on the 11th day of December, 1908, of the crime of placing ties on a railroad track, and sentenced to state prison at Waupun for the term of four years. Pardon granted restoring rights of citizenship on January 28, 1914.

Francis E. Mathews—Convicted before the circuit court for Lincoln County, on the 4th day of November, 1911, of the crime of taking indecent and improper liberties with a female child under the age of fourteen years without intent to commit rape, and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship on February 24, 1914.

Albert James Van Haltren—Convicted before the municipal court for Milwaukee County, on the 6th day of March, 1909, of the crime of larceny from the person, and sentenced to the Milwaukee County House of Correction for the term of eighteen months. Pardon granted restoring rights of citizenship on March 3, 1914.

John Schmidt—Convicted before the municipal court for Milwaukee County, on the 28th day of July, 1910, of the crime of burglary and sentenced to the state reformatory at Green Bay, for the term of eighteen months. Pardon granted restoring rights of citizenship on March 5, 1914.

Harry Meyers—Convicted before the municipal court for Rock County, on the 13th day of October, 1908, of the crime of larceny from the person and sentenced to state reformatory at Green Bay for the term of two years. Pardon granted restoring rights of citizenship on March 10, 1914.

Eugene Lorge—Convicted before the circuit court for Kewaunee County, on the 17th day of September, 1907, of the crime of burglary and sentenced to state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on March 18, 1914.

Fred J. Witzel—Convicted before the municipal court for Milwaukee County, on the 3rd day of April, 1912, of the crime of embezzlement, and sentenced to state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on March 19, 1914.

H. M. Femrite—Convicted before the municipal court for Dane County on the 21st day of June, 1907, of the crime of forgery,

and sentenced to state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on April 6, 1914.

Henry Fiscus—Convicted before the municipal court for Dane County on the 19th day of June, 1911, of the crime of burglary, and sentenced to state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on April 6, 1914.

Edward A. Schantz—Convicted before the circuit court for Ashland County on the 15th day of April, 1908, of the crime of burglary and sentenced to Wisconsin State Reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on April 13, 1914.

Norman Riley—Convicted before the municipal court for Milwaukee County, on the 4th day of October, 1910, of the crime of burglary, and sentenced to state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on April 17, 1914.

Albert Pierce—Convicted before the circuit court for Portage County, on the 31st day of March, 1906, of the crime of assault with intent to rape, and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship on April 27, 1914.

Emil Hoeppner—Convicted before the municipal court for Winnebago County, on the 24th day of October, 1911, of the crime of larceny, and sentenced to state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship on June 4, 1914.

Charles E. Hitchon—Convicted before the circuit court for Marinette County, on the 10th day of October, 1912, of the crime of bribery, and sentenced to pay a fine of five hundred dollars and costs. Pardon granted restoring rights of citizenship on June 12, 1914.

Samuel J. Poad—Convicted before the circuit court for Iowa County, on the 30th day of September, 1911, of the crime of assault with intent to do great bodily harm and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship on August 1, 1914.

Edward Wegner—Convicted before the municipal court for Waukesha County, on the 13th day of August, 1912, of the crime

of grand larceny and sentenced to state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on August 28, 1914.

Leonard M. Scott—Convicted before the circuit court for Grant County, on the 23rd day of February, 1910, of the crime of adultery, and sentenced to state prison at Waupun for the term of eighteen months. Pardon granted restoring rights of citizenship on August 28, 1914.

Leo Wachter—Convicted before the county court for Barron County, on the 9th day of November, 1906, of the crime of burglary in the night time and sentenced to Wisconsin State Reformatory at Green Bay for a term of thirteen months. Pardon granted restoring rights of citizenship on August 28, 1914.

Edward Schwartz—Convicted before the municipal court for Winnebago County, on the 6th day of February, 1911, of the crime of embezzlement and sentenced to state prison at Waupun for the term of three and one-half years. Pardon granted restoring rights of citizenship on August 28, 1914.

Max Hahn—Convicted before the municipal court for Outagamie County on the 23rd day of September, 1909, of the crime of forgery, and sentenced to state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on August 29, 1914.

Lawrence Sullivan—Convicted before the municipal court for Rock County on the 19th day of March, 1907, and again on the 10th day of July, 1900, of the crime of drunkenness and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship on September 9, 1914.

Christ J. Athanasopoulos—Convicted before the circuit court for Washington County, on the 6th day of June, 1910, of the crime of sodomy, and sentenced to state prison at Waupun for the term of four years. Pardon granted restoring rights of citizenship on September 14, 1914.

Fred Schulz—Convicted before the circuit court for Lincoln County, on the 30th day of August, 1910, of the crime of embezzlement and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship on September 14, 1914.

Jay Brewer—Convicted before the municipal court for Rock County, on the 29th day of November, 1912, of the crime of

larceny from the person and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship on September 21, 1914.

Edward C. McDermott—Convicted before the circuit court for Washington County on the 5th day of June, 1912, of the crime of burglary and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship on October 17, 1914.

Arthur Nelson—Convicted before the municipal court for Winnebrago County, on the 11th day of June, 1909, of the crime of larceny, and sentenced to state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship on October 17, 1914.

Clarence Killips—Convicted before the municipal court for Waukesha County on the 12th day of December, 1908, of the crime of receiving stolen property, and sentenced to state prison at Waupun for the term of nine months. Pardon granted restoring rights of citizenship on October 29, 1914.

Garrett Kerwin—Convicted before the county court for Crawford County, on the 2nd day of July, 1913, of the crime of adultery, and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship on December 31, 1914.

Frank E. Clement—Convicted before the circuit court for Juneau County, on the 10th day of October, 1910, of the crime of obstructing a railroad track, and sentenced to state prison at Waupun for the term of four years. Pardon granted restoring rights of citizenship on November 6, 1914.

Hollie McCallum—Convicted before the circuit court for Juneau County, on the 10th day of October, 1910, of the crime of obstructing a railroad track, and sentenced to state prison at Waupun for the term of four years. Pardon granted restoring rights of citizenship on November 21, 1914.

Andrew Mandle—Convicted before the circuit court for Ashland County, on the 22nd day of September, 1902, of the crime of sodomy, and sentenced to state prison at Waupun, for the term of eighteen months. Pardon granted restoring rights of citizenship on December 1, 1914.

In all the above cases, except where otherwise noted, the pardon restoring rights of citizenship was not granted until the applicant

had been discharged for one year or more, or had been paroled for a period of a year or more prior to the expiration of sentence, and until petitions had been filed signed by reputable people testifying to the applicant's worthiness to be restored to citizenship.

ABSOLUTE PARDON FROM THE STATE PRISON AT WAUPUN

John Gross—Convicted before the municipal court for Milwaukee County, on the 7th day of June, 1904, of the crime of burglary, and sentenced to state prison at Waupun for the term of fifteen years. On March 4, 1913, an absolute pardon was granted, the prisoner having served all but ten days of his sentence, having made a good record while on parole and a pardon being necessary in order to qualify him to take a homestead claim. Lieutenant M. B. Briscoe, U. S. A., Boise Barracks, Idaho, endorsed the application of Gross for a pardon.

George Wightman—Convicted before the circuit court for Fond du Lac County, on the 22nd day of November, 1899, of the crime of murder in the first degree, and sentenced to state prison at Waupun for the term of his natural life. The application for the pardon of Wightman was first denied on December 21, 1911. On May 12, 1913, it was reopened and it appearing that the prisoner's health was breaking rapidly and that owing to his advanced age his recovery was impossible and that further confinement would materially hasten his death he was granted an absolute pardon. The prisoner died in prison on May 13, 1913, about seven hours before the pardon reached the prison. He was informed, however, by prison officials that an absolute pardon had been granted him so he did not die in ignorance of the fact that clemency had been extended to him.

Max Scheniatzay—Convicted before the circuit court for Milwaukee County, on the 11th day of March, 1911, of the crime of receiving stolen property, and sentenced to state prison at Waupun for the term of two and one-half years, which sentence was suspended and the prisoner placed on probation in the custody and under the control of the state board of control. On September 4, 1913, he was granted an absolute pardon, his sentence having nearly expired and his record while on probation entitling him to clemency.

Henry E. Cornell—Convicted before the circuit court for Fond

du Lac County, on the 10th day of December, 1910, of the crime of assault with intent to commit murder in the second degree, and sentenced to State Prison at Waupun for the term of three years. On December 1, 1913, Cornell was granted an absolute pardon for the reason that but nine days remained to his sentence, that the conditions of his parole had been faithfully kept and that a pardon in his case operated merely to restore citizenship.

Irving Allen—Convicted before the circuit court for Fond du Lac County, on the 8th day of December, 1910, of the crime of perjury and sentenced to State Prison at Waupun for the term of three years. On December 1, 1913, Allen was granted an absolute pardon for the reason that but seven days remained to his sentence, that the conditions of his parole had been faithfully kept and that a pardon in his case operated merely, to restore citizenship.

Marie Novkovic—Convicted before the municipal court for Milwaukee County, on the 4th day of March, 1911, of the crime of murder in the first degree, and sentenced to State Prison at Waupun for the term of her natural life. On June 4, 1914, she was granted an absolute pardon for the reason that a study of the evidence showed that the greatest offense of which she was guilty was that of accessory after the fact. It was further shown that the mental health of the prisoner would be menaced by further confinement and her pardon was recommended by the district attorney who prosecuted her and by the judge who sentenced her. Miss Katherine Williams of the state board of control also recommended that a pardon be granted. Showing was made that in the event a pardon was granted Mrs. Novkovic would return to her home in Europe.

Minor B. Perkins—Convicted before the circuit court for Wood County, on the 28th day of March, 1888, of the crime of murder in the first degree, and sentenced to State Prison, at Waupun for the term of his natural life. On June 29, 1914, he was granted an absolute pardon for the reason that a study of the evidence raised doubt as to whether the offense committed was really first degree murder. It was also evident that he had been sufficiently punished, that his conduct while on parole had been exemplary and his pardon was recommended by the State Board of Parole.

Henry Lamont—Convicted before the circuit court for Douglas County, on the 14th day of March, 1896, of the crime of murder in the first degree, and sentenced to State Prison at Waupun for

the term of his natural life. On December 21, 1914, he was granted an absolute pardon for the reason that a study of the evidence raised a doubt as to whether or not he was actually guilty of the crime of which he was convicted and because his conduct while on parole had been exemplary and such as to merit a pardon.

Francis M. Burris—Convicted before the circuit court for Monroe County, on the 19th day of December, 1876, of the crime of murder in the first degree, and sentenced to State Prison at Waupun for the term of his natural life. On December 18, 1914, he was granted an absolute pardon because his conduct during a five-year parole period merited such clemency and because his absolute pardon was unanimously recommended by the State Board of Control.

William M. Fuller—Convicted before the circuit court for Dane County on the 13th day of April, 1898, of the crime of murder in the first degree, and sentenced to State Prison at Waupun for the term of his natural life. An application for the pardon of Fuller was denied on December 12, 1911. On March 21, 1913, the case was reopened and on recommendation of State Senator C. A. Snover of Fort Atkinson and Hon. Ralph E. Smith, President of the State Board of Control, and it appearing from affidavits of Bester, a co-defendant, and Bester's sister that there was doubt as to whether Fuller actually participated in the murder and State Senator Snover signifying his willingness to become guardian for Fuller, and the judge who imposed sentence not pressing his objections and agreeing to the granting of a conditional pardon, Fuller was granted a conditional pardon. The conditions were that he abstain absolutely from the use of intoxicating liquors, that he support his father and mother and that he abide by such further rules and regulations as State Senator Snover might prescribe. Early in December, 1914, Senator Snover appeared and reported that Fuller had abided by all the conditions of the conditional pardon, had proven himself worthy of citizenship, and that he desired to return to his wife and to the son who was born about the time Fuller was arrested, and that he (Fuller) felt that he could not do so in justice to the said wife and son until his full freedom had been granted him, and upon the recommendation of Senator Snover and President Smith on December 18, 1914, Fuller was granted an absolute pardon.

Albert Martin—Convicted before the circuit court for Clark

County, on the 6th day of June, 1885, of the crime of murder in the first degree, and sentenced to the State Prison at Waupun for the term of his natural life. On December 18, 1914, Martin was granted an absolute pardon for the reason that his conduct during the long period of parole had been such as to merit such action and because pardon was recommended by the State Board of Control.

ABSOLUTE PARDONS FROM THE STATE REFORMATORY AT GREEN BAY

Orin Shaul—Convicted before the circuit court for Washburn County, on the 27th day of May, 1912, of the crime of breaking and entering in the nightime, and sentenced to the State Reformatory at Green Bay for the term of one year. On March 21, 1913, he was granted an absolute pardon on the recommendation of the District Attorney, on showing that no loss had been sustained by reason of the crime, and in recognition of Shaul's good character prior to his conviction for this offense.

Ingwald Running—Convicted before the circuit court for St. Croix County, on the 21st day of May, 1902, of the crime of burglary, and sentenced to the State Reformatory at Green Bay for the term of not less than one year nor more than two years. On December 24, 1913, Running was granted an absolute pardon for the reason that notwithstanding the fact that he had escaped from the Reformatory he had wholly reformed, was connected with a good family in Minneapolis, was recommended for pardon by Governor Eberhart of Minnesota, who testified to his reformation, that the offense had been committed more than a decade ago and that a pardon gave him opportunity to become a useful citizen.

ABSOLUTE PARDONS FROM THE MILWAUKEE COUNTY HOUSE OF CORRECTION

Alexander J. Schweichler—Convicted before the municipal court for Milwaukee County, on the 1st day of June, 1912, of the crime of producing a miscarriage. (Section 4583, Wisconsin Statutes) and sentenced to the Milwaukee County House of Correction for the term of one year. On July 22, 1913, he was granted an absolute pardon for the reason that he had served the full sentence

imposed, that he was seventy-two years old, that he could not secure a restoration of his physician's license unless pardoned and would, therefore, be without means of earning a livelihood, and because pardon was urged by many physicians and by Hon. A. C. Umbreit as counsel for the State Medical Society.

William Cannon Kassner—Convicted before the district court for Milwaukee County, on the 20th day of May, 1912, of the crime of demanding usury and sentenced to the Milwaukee County House of Correction for a term of thirty days, and in addition thereto to pay a fine of fifty dollars and the costs of prosecution. On September 3, 1913, he was granted an absolute pardon on showing that he had served eight days of the imprisonment sentence and had paid the fine and costs imposed by the court, and in view of the decision of the Supreme Court of Wisconsin that the prisoner's right of appeal to the Circuit Court had been erroneously denied.

M. M. Riley—Convicted before the district court for Milwaukee County on the 23rd day of July, 1913, of the crime of being a common drunkard and sentenced to the Milwaukee County House of Correction for the term of sixty days. On August 21, 1913, he was granted an absolute pardon on the recommendation of the district attorney, the judge who sentenced him and to enable him to return to his wife and to contribute to her support.

Cora Goodall—Convicted before the district court for Milwaukee County, on the 20th day of April, 1914, of the crime of vagrancy and sentenced to the Milwaukee County House of Correction for the term of ninety days. On June 30, 1914, she was granted an absolute pardon on showing that such action was for the best interest of all concerned, on recommendation of the judge and district attorney and because more than two-thirds of the sentence imposed had been actually served.

ABSOLUTE PARDONS FROM THE INDUSTRIAL SCHOOL FOR GIRLS

Ruth Nimocks Barnes—Convicted before the county court for La Crosse County, on the 20th day of March, 1909, of the crime of lewd and lacivious conduct and sentenced to the Wisconsin Industrial School for Girls for the term of her minority. On October 7, 1911, she was granted a conditional pardon, the conditions being that she return to her mother, conduct herself becomingly

and report monthly to the Governor's office. On July 23, 1913, upon showing that all conditions of the conditional pardon had been faithfully kept, and in order to permit her to go to another state with her mother, the conditional pardon heretofore granted was made absolute.

ABSOLUTE PARDONS FROM THE INDUSTRIAL SCHOOL FOR BOYS

Morris Gullikson—Convicted before the circuit court for Portage County, on the 29th day of November, 1912, of the crime of burglary, and sentenced to the Industrial School for Boys for the term of his minority. On September 29, 1913, on the recommendation of the judge, the district attorney and all county officers, and in order to permit him to secure a high school education, he was granted a conditional pardon, the conditions being that he report immediately to Hon. George B. Nelson of Stevens Point, who was the district attorney who prosecuted him, and abide by such rules and regulations as Mr. Nelson might prescribe. On December 23, 1914, upon showing that he had abided by all conditions imposed, and upon recommendation of the said George B. Nelson, Gullikson was granted an absolute pardon.

ABSOLUTE PARDONS FROM COUNTY JAIL

Adolph Revken—Convicted before the circuit court for Racine County, on the 23rd day of November, 1912, of the crime of knowingly receiving stolen goods and sentenced to the Racine County Jail for the term of six months. On March 21, 1913, he was granted an absolute pardon on showing that the punishment had been sufficient to meet the ends of justice, in recognition of Revken's previous good character, and on showing that the judge who imposed sentence had stated that imprisonment of from thirty to ninety days would be sufficient punishment for the offense committed, and that the said judge would have imposed such sentence had the law permitted him to do so. Revken had served a sixty-day sentence at the time the pardon was granted.

James Malouf—Convicted before the circuit court for Outagamie County, on the 25th day of April, 1913, of the crime of fornication, and sentenced to the Outagamie County Jail for the term of six months. On June 19, 1913, the prisoner having served ap-

proximately sixty days, he was granted an absolute pardon, because in the opinion of the judge who imposed sentence, and in the opinion of all directly concerned, the sentence actually imposed was too severe, a sentence of from thirty to sixty days being the maximum that should have been imposed.

ABSOLUTE PARDONS MISCELLANEOUS

Herman Spredeman—Convicted before the municipal court for Milwaukee County, on the 22nd day of April, 1912, of the crime of perjury and sentenced to be placed upon probation in charge of Theodore Puls for the term of one year. On April 21, 1913, the prisoner having served all but about one week of the probationary sentence, he was granted an absolute pardon on recommendation of the judge, the district attorney and probationer officer Puls. The effect of this pardon was merely to release the prisoner from further custody and to restore rights of citizenship.

MISCELLANEOUS CONDITIONAL PARDONS

Emily Stocker—Convicted before the municipal court for Kenosha County, on the 15th day of June, 1912, of the crime of fornication and delinquency and sentenced to the House of the Good Shepherd in Milwaukee for the term of her minority. On March 22, 1913, she was granted a conditional pardon, on the recommendation of the judge who imposed sentence, on showing that she had made progress in her studies and deportment since her incarceration, because her mother needed her at home, and because it was believed that a conditional pardon would work toward her complete reformation. The conditions of the pardon were that she return to her mother, that she lead a virtuous life and that she report in writing to the Governor on the first of each month.

CONDITIONAL PARDONS FROM JAILS

Frank Harris—Convicted before the municipal court for Milwaukee County, on the 6th day of February, 1913, of the crime of assault with intent to do great bodily harm, and sentenced to the Milwaukee County Jail for the term of one year. On September 26, 1913, he was granted a conditional pardon on recommen-

dation of the judge and sheriff and on showing that one-half of the sentence had been served. The conditions of the pardon were that he keep the peace, refrain from the use of intoxicants, and abide by such rules as Probation Officer Theodore Puls might impose for his guidance.

Albert Storandt—Convicted before the county court for La Crosse County, on the 26th day of November, 1912, of the crime of assault with intent to do great bodily harm and sentenced to the La Crosse County Jail for the term of six months. On April 15, 1913, he was granted a conditional pardon on showing that he had been sufficiently punished, because the testimony showed that his wife was attacking him with a butcher knife when he committed the alleged assault and because a conditional pardon was believed to be for the best interest of the defendant and all concerned. The conditions of the pardon were that he refrain from violence, conduct himself as a peaceable and law-abiding citizen and report bi-weekly to Hon. W. F. Wolfe of La Crosse.

CONDITIONAL PARDONS FROM THE INDUSTRIAL SCHOOL FOR BOYS

Morris Gullikson—Convicted before the circuit court for Portage County, on the 29th day of November, 1912, of the crime of burglary and sentenced to the Wisconsin Industrial School for Boys for the term of his minority. The report on this case is found under the heading "Absolute Pardons From The Industrial School For Boys."

CONDITIONAL PARDONS FROM THE INDUSTRIAL SCHOOL FOR GIRLS

Laura Shane—Convicted before the juvenile court for Milwaukee County, on the 25th day of July, 1911, of the crime of being without visible means of maintaining herself, and sentenced to the Wisconsin Industrial School for Girls for the term of her minority. On March 21, 1913, she was granted a conditional pardon, on recommendation of the district attorney, on showing that home conditions had changed for the better, on endorsement of Rev. Louis R. Giroulx and others, and on the guarantee that the girl would be given a business education that would fit her to support herself. The conditions of the pardon were that she re-

turn to her home, that she lead a virtuous life, and that she report monthly to Rev. Louis R. Giroulx.

Edna Taube—Convicted before the juvenile court for Milwaukee County, on the 17th day of January, 1911, of the crime of delinquency and sentenced to the Industrial School for Girls for the term of her minority. On March 21, 1913, she was granted a conditional pardon on showing that home conditions had changed for the better, that her conduct on parole merited further clemency and that she was needed by her mother at home, and on recommendation of the district attorney. The conditions of the pardon were that she return to her home, that she lead a virtuous life, that she abide by such regulations as might be prescribed by Probation Officer Theodore Puls, that she contribute to the support of her mother, and that these conditions were to be in no wise modified in the event of the girl's marriage.

Lorraine Bade—Convicted before the juvenile court for Milwaukee County, on the 14th day of November, 1911, of the crime of incorrigibility and sentenced to the Wisconsin Industrial School for Girls for the term of her minority. On June 25, 1914, she was granted a conditional pardon on recommendation of Miss Katherine Williams of the state board of control, and in order that proper arrangements might be made for an operation, that the physical condition of the applicant for pardon demanded it. The conditional pardon was in effect a parole of the girl to Mrs. M. H. Arndt, 465 Lake Drive, Milwaukee.

CONDITIONAL PARDONS FROM MILWAUKEE COUNTY HOUSE OF CORRECTION

Max Bentkowski—Convicted before the municipal court for Milwaukee County, on the 4th day of October, 1911, of the crime of assault with intent to do great bodily harm, and sentenced to Milwaukee County House of Correction for the term of three years. On March 22, 1913, he was granted a conditional pardon on recommendation of the district attorney, on showing that his wife was in debt and needed his support, on proof that a reconciliation had been effected and the cause of the trouble removed, and to make it possible for the husband to earn enough to lift the mortgage from his bakery. The conditions of the pardon were that he abstain from the use of intoxicants and abide by such further rules

and regulations as probation officer Theodore Puls might prescribe for his guidance.

William A. Phillips—Convicted before the municipal court for Milwaukee County, on the 25th day of October, 1912, of the crime of adultery, and sentenced to the Milwaukee County House of Correction for the term of one year. On March 14, 1913, he was granted a conditional pardon, on recommendation of the judge and the district attorney, on showing that his wife was in need of his support, and in recognition of his previous good character. The conditions of the pardon were that he report immediately to probation officer Theodore Puls and abide by such rules and regulations as the said Theodore Puls might prescribe for his guidance.

Lawrence Hollis—Convicted before the district court for Milwaukee County, on the 31st day of January, 1914, of the crime of vagrancy, and sentenced to the Milwaukee County House of Correction for the term of ninety days. On March 10, 1914, he was granted a conditional pardon, on recommendation of the judge and district attorney, and to enable him to support his mother who was in need. The conditions of the pardon were that he support his mother, and abide by such further rules and regulations as probation officer Theodore Puls might prescribe for his guidance.

CONDITIONAL PARDONS FROM WISCONSIN STATE PRISON

William M. Fuller—This case is reported on under the heading "Absolute Pardons from the State Prison."

Joseph Davis—Convicted before the municipal court for Milwaukee County, on the 27th day of January, 1912, of the crime of adultery, and sentenced to the state prison for the term of three years. On June 20, 1913, he was granted a conditional pardon on the ground that the sentence in view of all the facts in the case, was excessive, that the family of the prisoner was in destitute circumstances and that a conditional pardon was for the best interests of all concerned. The conditions of the pardon were that he support his family, that he conduct and demean himself as a peaceable and law-abiding citizen, and that he abide by such further rules and regulations as probation officer Theodore Puls might prescribe for his guidance.

Henry Dunn alias *Harry Dunn*—Convicted before the municipal court for Milwaukee county, on the 13th day of January, 1900, of

the crime of murder in the first degree, and sentenced to state prison for the term of his natural life. On January 9, 1914, he was granted a conditional pardon on showing that further confinement would mean his death within three years from tuberculosis with a change for the worse likely to come at any time, while his release would give him an opportunity to fight off the disease and prolong his life. The conditions of the pardon were that he refrain from all violence and threats of violence and that he report quarterly to the secretary of the state board of control.

Timothy Norton—Convicted before the circuit court for Fond du Lac County, on the 7th day of December, 1912, of the crime of man-slaughter in the third degree and sentenced to state prison at Waupun for the term of four years. On June 4, 1914, he was granted a conditional pardon on the recommendation of all parties concerned, including the court officers. The conditions of the pardon were that he report immediately to Hon. E. H. Lyons of Fond du Lac and abide by such rules and regulations as the said E. H. Lyons might prescribe for his guidance.

Floyd E. Cook—Convicted before the municipal court for Dane County, on the 13th day of July, 1914, of the crime of adultery, and sentenced to state prison at Waupun for the term of two years. On December 15, 1914, he was granted a conditional pardon for the reason that it was shown he was needed at home to prevent the loss of his property, and to contribute to the support of his family. The conditions of the pardon were that he return immediately to and support his family, that he refrain absolutely from the use of intoxicating liquors, that he keep the peace and obey the law, that he report on the first of each month to James Stebbins, R.R.1, Edgerton, Wisconsin, and abide by such rules of conduct as the said James Stebbins might impose for his guidance.

Henry Foss—Convicted before the circuit court for Eau Claire County, on the 6th day of July, 1909, of the crime of murder in the first degree, and sentenced to state prison at Waupun for the term of his natural life. On December 18, 1914, he was granted a conditional pardon for the reason that the evidence raised a doubt as to whether the offense committed was first degree murder; as to whether the prisoner fully understood the nature of the offense to which he was pleading guilty, and because it was believed that a conditional pardon would be to the best interests of all concerned. The conditions of the pardon were that he report immediately to Hon. George L. Blum of Eau Claire and abide by such rules and

regulations as the said George Blum might impose for his guidance; that he report on the first of each and every month to the said George L. Blum as to what had been his conduct and where he had been employed; that he refrain absolutely from the use of intoxicating liquors and that he keep the peace and obey the law.

Frederick C. Schwaders—Convicted before the municipal court for Milwaukee County, on the 22nd day of March, 1912, of the crime of sodomy, and sentenced to state prison at Waupun for the term of five years. On December 24, 1914, he was granted a conditional pardon on showing that he had always been a sober and industrious workman and a law-abiding citizen up to the time of the alleged offense for which he was convicted; on showing that an injury to head had perhaps weakened his responsibility for his acts though he had now apparently recovered from the effects of the injury; on testimonials and petitions submitted by former employers and representative business men who knew him and on the recommendation of the President of the State Board of Control. The conditions of the pardon were that he report immediately to Probation Officer Theodore Puls and abide by such rules and regulations as the said Theodore Puls might prescribe for his guidance.

COMMUTATIONS OF SENTENCES TO COUNTY JAILS

Gustave Ducks—Convicted before the municipal court for Racine County, on the 19th day of December, 1913, of the crime of selling intoxicating liquors without a license, and sentenced to pay a fine of $100.00 and costs and in default thereof to be imprisoned in the county jail for a period not to exceed three months and on the same day in the same court on a second charge of a similar offense sentenced to pay a similar fine *and* be imprisoned in the county jail for three months. On March 30, 1914, the sentence imposed upon his conviction for the second offense was commuted to ten days for the reason that he had served the full three months on the first sentence; that he was suffering from paralysis caused by cerebral hemmorhage; that he was penniless and if clemency was not extended he would be compelled to serve an additional six months. The commutation of sentence was also recommended by the district attorney.

COMMUTATIONS OF SENTENCES TO THE HOUSE OF CORRECTION

Hugo Kelling—Convicted before the municipal court of Milwaukee County, on the 16th day of December, 1913, of the crime of assault with intent to rob being armed with a dangerous weapon, and sentenced to the Milwaukee County House of Correction for the term of three years. On December 18, 1914, his sentence was commuted to two years and six months in order to permit his parol. This action was taken on sufficient showing that the crime committed was the only blot on the record of the prisoner and that it was committed when he was laboring under great mental stress and was probably temporarily not responsible for his acts. The man whom he attempted to rob joined in petitioning for either a commutation or an absolute pardon. It was further shown that Kelling's family was in need of his support.

COMMUTATIONS OF SENTENCES TO STATE PRISON AT WAUPUN

George Robinson—Convicted before the municipal court for Dane County, on the 20th day of August, 1909, of the crime of rape and sentenced to state prison at Waupun for the term of eight years. On March 15, 1913, his sentence was commuted to six years because a study of the evidence raised a question as to the guilt of the defendant; because of his advanced age; on recommendation of the district attorney on showing that his children would provide a home for him after he was released and because he had been sufficiently punished.

Roy McLaughlin—Convicted before the circuit court for Grant County, on the 3rd day of April, 1911, of the crime of burning a barn in the nighttime and sentenced to state prison at Waupun for the term of five years. On March 14, 1913, his sentence was commuted to two and one-half years because it was believed that the sentence originally imposed was excessive when considered in its relation to the building burned; on recommendation of the district attorney and to permit parol.

Louis Anklan—Convicted before the circuit court for Winnebago County, on the 11th day of January, 1911, of the crime of assault with intent to murder and sentenced to state prison at Waupun for the term of ten years. On March 14, 1913, his sentence was commuted to eight years on recommendation of the district attorney; on petition of citizens who had known the defendant; in

recognition of his good character prior to the time of the conviction and in order to permit his parol when he had actually served four years.

Jacob Zajaczkowski—Convicted before the municipal court for Milwaukee County, on the 29th day of May, 1908, of the crime of murder in the third degree and sentenced to State Prison at Waupun for the term of fourteen years. On March 21, 1913, his sentence was commuted to nine years and ten months to permit of his parol, on ample showing that the complete reformation of the prisoner had been accomplished and on agreement of all parties concerned that he was now worthy of immediate release on parol.

Viola Varano—Convicted before the county court for Bayfield County, on the 14th day of February, 1913, of the crime of adultery and sentenced to State Prison at Waupun for the term of two years. On June 24, 1913, her sentence was commuted to ten months on recommendation of the warden of the prison, the prison physician, and members of the State Board of Control who submitted certificates that the prisoner was about to become a mother and that a commutation to permit parole was desirable in order that an innocent child might not be stigmatized by being born in prison. On June 25, 1913, the pardon commuting sentence was revoked on showing that before the pardon commuting sentence had been delivered to the warden the child had been prematurely born and no reason existed therefore for extending executive clemency.

Joseph Byrnes—Convicted before the circuit court for Manitowoc County, on the 23rd day of January, 1890, of the crime of bigamy, and sentenced to State Prison at Waupun for the term of from one to five years. On July 23, 1913, the sentence of Byrnes was commuted to one year and nine months in order to effect his immediate release. After having served a little more than the minimum sentence of one year Byrnes escaped from prison and was not recaptured. After a lapse of twenty-three years Byrnes telephoned the warden of the prison from Columbus, Ohio, stating that he was an escaped convict and that he wished to return to the prison and complete his sentence despite the fact that because of his escape he would receive no deduction for good behavior because he wished his record absolutely clear. At the time Byrnes telephoned the warden there was no official connected with the prison who could identify him, nor convicts serving life sentences who remembered him. On the opinion of the Attorney General that Byrnes' admission of his identity was sufficient he was re-incarcerated and shortly thereafter

his sentence was commuted as stated for the reason that the voluntary surrender of Byrnes was ample proof that his complete reformation had been effected.

Mary Grohorsky—Convicted before the county court for La Crosse County, on the 14th day of May, 1913, of the crime of adultery, and sentenced to State Prison at Waupun for the term of one year. On September 15, 1913, her sentence was commuted to six months in order to permit of her immediate parol. This action was taken on recommendation of the prison physician and the State Board of Control, on submission of certificate that the woman would become a mother in October and in order that an innocent child might not be stigmatized by being born in prison.

Lincoln Price—Convicted before the circuit court for Vernon County, on the 20th day of March, 1909, of the crime of incest and sentenced to State Prison at Waupun for the term of nine years. On October 6, 1913, his sentence was commuted to eight years to permit his immediate parole. This action was taken because of the rapidly failing health of the prisoner as shown by the certificate of the prison physician and on recommendation of the district attorney and of the president of the State Board of Control.

Ferdinand Schultz—Convicted before the circuit court for Wood County, on the 11th day of June, 1909, of the crime of rape and sentenced to State Prison for the term of twenty years. On December 24, 1913, his sentence was commuted to nine years to permit parole because there was doubt as to the guilt of the prisoner, the evidence not being conclusive, and because it was felt that clemency had been merited by his good record in prison and by his previous good character.

Arthur A. Fischer—Convicted before the municipal court for Milwaukee County, on the 1st day of February, 1913, of the crime of assault with intent to commit rape and sentenced to State Prison at Waupun for the term of ten years. On December 24, 1913, his sentence was commuted to four years on showing that no injury had been done the prosecutrix and because the evidence showed that the greatest offense of which the prisoner was guilty was that of taking indecent liberties with a minor child. The commutation was granted in order to permit parole, that the prisoner who gave indications of unsound mentality might be under supervision for a period after his release. His mental condition changed for the worse and before he was released on parole he was adjudged insane and transferred to a hospital for the insane for treatment. At

the time this report was prepared Fischer was still in the custody of the State.

Tom Hoy—Convicted before the municipal court for Milwaukee County on the 10th day of May, 1912, of the crime of sodomy and sentenced to State Prison at Waupun for the term of five years. On December 24, 1913, his sentence was commuted to three years and six months because the doubt raised as to the real nature of the crime committed made the sentence excessive.

Albert Sobczak—Convicted before the municipal court for Milwaukee County, on the 8th day of January, 1910, of the crime of murder in the third degree, and sentenced to State Prison at Waupun for the term of ten years. On December 24, 1913, his sentence was commuted to eight years. A study of the evidence failed to reveal any proof of malice and no motive whatever was shown. It was clearly evident that there was no actual intent to kill but that the deceased came to his death from injuries received in a drunken brawl. In view of all the facts a ten-year sentence seemed to be excessive.

George Kolitz—Convicted before the circuit court for Green Lake County, on the 21st day of June, 1907, of the crime of rape and sentenced to State Prison at Waupun for the term of thirty years. On March 30, 1913, an application for clemency was denied. On December 24, 1913, the case was reopened and on recommendation of the judge and the district attorney his sentence was commuted to twenty-two years.

James Aloysius McAlees—Convicted before the municipal court for Milwaukee County, on the 25th day of March, 1909, of the crime of murder in the third degree, and sentenced to State Prison at Waupun for the term of twelve years. On December 24, 1913, his sentence was commuted to ten years on recommendation of the judge and the district attorney.

Harold Seizel—Convicted before the municipal court for Milwaukee County, on the 4th day of May, 1912, of the crime of burglary and possessing burglarious tools and sentenced to State Prison at Waupun for the term of five years. On December 24, 1914, his sentence was commuted to three years and four months to permit his immediate parole. This action was taken in recognition of his previous good character and reputation; because it was clearly manifest that he had been led to commit the crime because of an unusual combination of circumstances; on recommendation of the judge, the assistant district attorney who prosecuted and the

warden of the prison and to permit him to support his wife and invalid child.

William Hughes—Convicted before the circuit court for Douglas County, on the 5th day of December, 1899, of the crime of murder in the first degree, and sentenced to State Prison at Waupun for the term of his natural life. On March 20, 1914, an application for clemency was denied without prejudice against parole when the prisoner became eligible thereto. On December 23, 1913, the application was reopened and on recommendation of the district attorney, the warden of the prison, the judge, the president of the board of control and others, the sentence was commuted to twenty-eight years, to permit the immediate parole of the prisoner in order that he might visit his mother who was dying in Superior. The parole was granted and the prisoner reached his mother's bedside a few hours before her death and while she was still conscious and able to recognize him.

Albert Funk—Convicted before the municipal court for Milwaukee County, on the 1st day of May, 1899, of the crime of murder in the first degree and sentenced to State Prison at Waupun for the term of his natural life. On December 24, 1913, his sentence was commuted to thirty years on showing that his reformation had been effected and that at the time the crime was committed Funk was under the influence of his wife who was considerably older than he was. The sentence of Mrs. Funk, who was convicted with her husband, had been previously commuted. The petition for clemency in Funk's case was signed by eight of the twelve jurors who convicted him.

Peter Cakierello—Convicted before the municipal court for Milwaukee County, on the 29th day of May, 1908, of the crime of murder in the third degree, and sentenced to State Prison at Waupun for the term of twenty years. On January 5, 1914, his sentence was commuted to twelve years because a study of the evidence raised a doubt as to whether he was guilty of any offense higher than manslaughter; because he had been sufficiently punished for any offense committed and to permit his parole in order that the board of control might supervise his conduct for a period following his release.

Louis M. Cleary—Convicted before the circuit court for Jackson County, the same being a special term for Juneau County, on the 16th day of October, 1913, of the crime of non-support and sentenced to State Prison for the term of one year. On January 5,

1914, his sentence was commuted to six months on recommendation of the judge and district attorney and in order to permit his parole that the board of control might have supervision over his conduct for a time following his release.

John Mahoney—Convicted before the municipal court for Dane County, on the 12th day of May, 1913, of the crime of abandonment, and sentenced to State Prison at Waupun for the term of two years. On January 5, 1914, his sentence was commuted to fifteen months in order to permit his parole. This action was taken because it was shown that his wife was ill and bedridden and needed his support.

A. R. Law—Convicted before the circuit court for Dane County, on the 25th day of September, 1912, of the crime of manslaughter in the second degree, and sentenced to State Prison at Waupun for the term of six years. On March 4, 1914, his sentence was commuted to three years to permit of his parole. This action was taken because in view of the advanced age of the prisoner the sentence imposed was excessive, and in recognition of the fact that the prisoner had filed a sworn statement that he would never apply for a restoration of his medical license.

John Tarasinski—Convicted before the municipal court for Milwaukee County, on the 28th day of May, 1908, of the crime of murder in the second degree and sentenced to State Prison at Waupun for the term of twenty-five years. On June 4, 1914, his sentence was commuted to twelve years in recognition of the fact that his reformation had been effected and to permit his parole.

George K. Farr—Convicted before the circuit court for Eau Claire County, the same being a special term for Rusk County, on the 17th day of January, 1914, of the crime of embezzlement, and sentenced to State Prison at Waupun for the term of two years. On June 29, 1914, his sentence was commuted to one year in recognition of the extenuating circumstances surrounding the crime, and in order to permit his parole.

George Messmann—Convicted before the municipal court for Manitowoc County, on the 28th day of October, 1913, of the crime of embezzlement, and sentenced to State Prison at Waupun for the term of two years. On June 29, 1914, his sentence was commuted to one year and six months to permit his parole, in recognition of the fact that prior to his conviction he had made restitution of the moneys embezzled.

Orrie Langdon—Convicted before the circuit court for Clark

County, the same being a special term for Juneau County, on the 9th day of September, 1912, of the crime of abortion, and sentenced to State Prison at Waupun for the term of four years. On June 29, 1914, her sentence was commuted to three years and six months in order to permit parole, it being shown that the punishment endured had been sufficient.

Rudolph Schroeder—Convicted before the municipal court for Milwaukee County, on the 27th day of August, 1913, of the crime of larceny, and sentenced to State Prison at Waupun for the term of five years. On August 18, 1914, his sentence was commuted to one year and six months for the reason that under all the circumstances the original sentence seemed excessive and because the reformation of the prisoner had been effected.

John F. Pooley—Convicted before the municipal court for Outagamie County, on the 25th day of October, 1912, of the crime of embezzlement, and sentenced to State Prison at Waupun for the term of four years. On August 8, 1914, his sentence was commuted to three and one-half years in order to permit his immediate parole that he might return to and support his wife and infant children. Clemency in this case was recommended by the officials most intimately concerned.

Max Winkel—Convicted before the circuit court for Trempealeau County, on the 31st day of October, 1903, of the crime of murder in the first degree, and sentenced to State Prison at Waupun for the term of his natural life. On the 18th day of December, 1914, his sentence was commuted to twenty-five years. This action was taken because a careful study of the evidence raised some doubt as to the degree of murder, if any, of which Winkel was guilty; on showing that he was now an "honor prisoner" and had proven himself entirely trustworthy, and on the recommendation of the president of the state board of control.

Joseph Meyers—Convicted before the circuit court for Walworth County, on the 17th day of October, 1906, of the crime of rape and sentenced to State Prison at Waupun for the term of thirty-five years. On the 18th day of December, 1914, his sentence was commuted to twenty years on recommendation of the judge, the district attorney who prosecuted and to permit his parole in order that he might return to and support his invalid wife and minor child.

George Eckerle—Convicted before the municipal court for Marathon County, on the 9th day of October, 1913, of the crime of arson and sentenced to State Prison at Waupun for the term of four years,

On the 18th day of December, 1914, his sentence was commuted to two years because a study of the evidence raised a doubt as to whether or not he was really guilty of arson; because of the fact that at the time the alleged crime was committed the prisoner was laboring under great mental stress and might not have been wholly responsible for his acts, and in order to permit his parole.

August Krueger—Convicted before the circuit court for Portage County, on the 17th day of October, 1912, of the crime of murder in the first degree, and sentenced to State Prison at Waupun for the term of his natural life. On December 18, 1914, his sentence was commuted to seven years on showing that in view of all the circumstances surrounding the crime the greatest offense of which the prisoner was guilty was probably manslaughter. Clemency was favored by practically everyone who had known Krueger prior to the homicide and showing was made that the judge before whom the case was tried was not opposed to a commutation of sentence.

Harry Smith—Convicted before the circuit court for St. Croix County, on the 4th day of April, 1911, of the crime of having burglar tools in his possession and sentenced to State Prison at Waupun for the term of ten years. Smith was convicted with six others and the same sentence was imposed on all despite the fact that some of Smith's codefendants had criminal records; on the ground that justice would be done through commutation of sentence the original sentence imposed by the court was commuted on the 18th day of December, 1914, to a term of eight years and six months.

Frank Mulvaney—Convicted before the circuit court for St. Croix County, on the 4th day of April, 1911, of the crime of having burglar tools in his possession and sentenced to State Prison at Waupun for the term of ten years. Mulvaney was convicted with six others and the same sentence was imposed on all despite the fact that some of Mulvaney's codefendants had criminal records. On the ground that justice would be done through commutation of sentence the original sentence imposed by the court was commuted on December 18, 1914, to a term of eight years.

John Howe—Convicted before the circuit court for St. Croix County, on the 4th day of April, 1911, of the crime of having burglar tools in his possession, and sentenced to State Prison at Waupun for the term of ten years. Howe was convicted with six others and the same sentence was imposed on all despite the fact that some of Howe's codefendants had criminal records. On the

ground that justice would be done through commutation of sentence the original sentence imposed by the court was commuted on December 18, 1914, to a term of nine years.

George Hardy—Convicted before the municipal court for Milwaukee County, on the 27th day of November, 1909, of the crime of rape, and sentenced to State Prison at Waupun for the term of twenty-five years. On the 18th day of December, 1914, his sentence was commuted to ten years. The study of the evidence showed that the condition of Hardy hinged on his identification, not only by the prosecutrix, but by two twin boys between five and six years of age. The previous record of Hardy had been good and the defense of alibi set up by the defendant raised doubt as to his actual guilt. It was also shown that a prominent business man of Milwaukee who in the past has done much to effect the reclamation and reformation of first offenders was willing to become parole guardian for Hardy if he could be paroled. Commutation was therefore granted to permit parole.

Dell Oborn—Convicted before the circuit court for Winnebago County, on a change of venue from Marinette County on the 15th day of December, 1908, of the crime of murder in the second degree, and sentenced to State Prison at Waupun for the term of twenty-one years. On December 30, 1914, his sentence was commuted to fourteen years to permit parole. This action was taken on recommendation of well-known residents of Wood County, including business men who agreed to look after Oborn and provide him with employment in the event he was paroled or pardoned; because it was shown that there was great provocation for the homicide; because it was believed that the reformation of Oborn had been effected; and in order to permit his parole. It was also proven on the hearing of the application for pardon that Oborn became excited easily when provoked due in part to an inherited tendency to epilepsy. It was proven further that immediately after the shooting Oborn suffered great remorse and asked permission to go to the assistance of the man he had wounded. It should be noted in this case that the deceased was shot through the arm and death resulted from bleeding due to the fact that the shot severed an artery.

John F. Dietz—Convicted before the circuit court for Sawyer County, on the 13th day of May, 1911, of the crime of murder in the first degree, and sentenced to State Prison at Waupun for the term of his natural life. On December 30, 1914, his sentence was

commuted to twenty years. This is a unique and perplexing case. I am satisfied that the offense for which John Dietz is being punished is not lower than murder in the second degree. If this grade of homicide had been submitted to the jury that tried the case, the present application for pardon could be dealt with more easily; but it was not. Another inducement to clemency is found in the fact that during the half dozen years before Dietz killed Harp, he was encouraged and incited to acts of outlawry and violence and he was applauded and lionized in proportion to his audacity in defying constituted authority. This encouragement and applause came alike from a considerable part of the public press and in letters and telegrams from large numbers of people who not infrequently backed their opinions with their money. Under these circumstances, it seemed not entirely fair to hold Dietz solely responsible for the tragedy in which this propaganda of lawlessness finally culminated.

Respectfully submitted,

FRANCIS E. McGOVERN,

December 31, 1914. *Governor.*

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint:

Walter Alexander of Milwaukee, Wisconsin, to be a member of the Railroad Commission of Wisconsin for the term ending on the first Monday in February, 1921.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, January 27, 1915. *Governor.*

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Hon. James O. Davidson, of Madison, Wisconsin, to be a member of the State Board of Control of Wisconsin for the term ending April 1st, 1919; and I do hereby designate the said James O. Davidson as President of the said Board.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, January 28, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

George J. Weigle of Milwaukee, Wisconsin, to be Dairy and Food Commissioner, for the term ending on the first Monday of February, 1917.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

January 29, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the consent and advice of the senate, appoint:

John S. Owen of Eau Claire, Wisconsin, to be a member of the State Highway Commission, for the term ending on the first Monday in February, 1921.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, February 3, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby appoint Senator Henry Rollmann of Chilton as a member of the Visiting Committee in place of Senator Platt Whitman, resigned.

Respectfully submitted,

E. L. PHILIPP,

Governor.

Dated, February 4, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate appoint:

Dr. J. M. Furstman of La Crosse, Wisconsin, to be a member of the State Board of Health and Vital Statistics for the term ending on the first Monday in February, 1922.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated February 17, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Doctor Charles Sutherland of Janesville, Wisconsin, a member of the State Board of Health and Vital Statistics, for the term ending on the first Monday in February, 1921.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated, March 1, 1915.

To the Honorable, the Legislature:

I have the honor to transmit herewith the biennial report of the Wisconsin Commissioners on Uniform State Laws and respectfully ask that your Honorable Body give consideration to the recommendations therein contained.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated, March 5, 1915.

To the Honorable, the Senate:

I return herewith without my approval Bill No. 188, S., entitled "An Act to create section 4575l of the statutes, relating to the receiving and giving of tips or gratuities and providing a penalty."

The bill is broad in application. It apparently prohibits a gratuity or tip to any employee of a hotel, restaurant, boarding or lodging house, barber shop, railroad, hack or bus line, theater, billiard hall, bath house, shoe shining shop, news stand, and indeed to any employee whose employer is engaged in a business, of whatsoever kind, that may be open to public patronage.

It makes the receiving of any gratuity or tip by any such employee, or the offering of the same by any person, a misdemeanor punishable by a fine of from $5 to $25 or by imprisonment in the county jail not to exceed thirty days.

If the words "gratuity or tip" as used in the bill be taken to mean a mere gift, without any consideration to rest upon, the bill would, in my judgment, be practically ineffective and would serve only to incumber the statutes. Under such a reading of the bill, the tip would quickly take on the form of compensation for extra

service and thus cease to be a mere gratuity, and no substantial change in the custom would be effected.

If on the other hand the bill be taken to prohibit compensation to the employee for extra service which the employer is not required to furnish, the result is to deprive the public of the opportunity to receive and pay for service promotive of comfort and convenience and which in some cases may approach necessity.

Under this broader, and, to make it effective, seemingly necessary meaning of the bill, not only is the right taken away to express in a material way appreciation for the courtesy of an employee, but he may not be rewarded for extra service which the employer may be willing the employee should render at the expense of him who receives it, but which the employer is not required to furnish by the provisions of this bill nor by any other law of the state. Thus, the traveler or patron may not supply the incentive for quick service in the hotel, restaurant or barber shop, or to the cab driver, that he may catch his train or make his appointment; he may not thus induce the polishing of his shoes, the brushing of his clothes or assistance in the handling of his baggage; he may be deprived of the right to secure and to reward special consideration to those who by reason of infirmity or youth may urgently require it; the news boy at the public stand, unless he be the proprietor, may not have an extra penny; indeed, gratitude to the nurse in the public hospital may not be expressed in a material way save at the hazard of violating the provisions of this act.

It will I think be readily seen that the bill imposes radical restraint upon the freedom of action of the citizen in respect to matters in themselves innocent and sometimes praiseworthy. This is no reason for condemning the bill if such restraint is required for the public good. But to justify it, it ought to be quite plain that the public welfare demands the restraint, and that the proposed law will efficiently accomplish it. Where restrictions are by law placed upon the liberty of the citizen as regards otherwise innocent acts, I think it is common to find it justified by some consideration involving the peace, health, safety, or morals of society. This bill is supported by none of these considerations. Certainly public peace is not involved, nor the public health or safety. If there is anything in the injunction that "it is more blessed to give than to receive," there is no danger that the tipping custom will undermine the public morals. And inasmuch as the man who parts with a tip is, as a general thing, better off in this world's goods than the

beneficiary of it, it is difficult to consider the custom as a spendthrift one, calculated to pauperize and make a state charge one who indulges. So far as I can see, the most substantial reason which has been advanced for the bill is that if it is enacted into law and enforced, it will tend to destroy a discrimination in service which the tipping custom has been said to promote. To this aspect of the matter I have given careful consideration. That the custom may sometimes be promotive of discrimination may be admitted, though the frequency or extent of it is not so clear. The custom exists chiefly in the large cities and upon railroad trains. Much of the tipping on railway trains passing through the state cannot be reached by this act. The tip usually follows the service and extra attention is not excited by payment in advance. I am bound to believe that the courtesy of the traveler very frequently may have as great an influence upon the character of the service which he receives as a gratuity resting in anticipation. I mention these things to point out the fact that it is impossible to say with assurance that the tipping custom, so far as practiced in our state and within the reach of our laws, has to any considerable extent caused discrimination in any service to the public within the engagement of the employer to furnish.

In addition to this the bill is not directly aimed at discrimination. Its effect in this respect will be incidental if it has effect at all. Should the bill become a law, there is nothing in it to prevent employers from cutting off the opportunity of the traveler or patron to obtain many of the extra services now permitted to be received and voluntarily compensated for, or if such services were continued, to prevent the employer from adjusting rates on the basis that all should pay alike irrespective of whether or not all required or desired the service. This latter result might well be claimed to create as great discrimination as any which can be justly urged for the adoption of the law.

The enforcement of a law of this kind is another matter which I deem of vital consequence. The classes chiefly affected by the measure would be travelers, frequently resident in other states, and whose stay at the place where the occasion for the tip may arise, is often brief. In the ordinary view, there is no moral wrong in rewarding courtesy or any extra service by a tip, or in one's doing as he pleases with his own. I am forced to believe that many so inclined would not be deterred by the fact that in this state the act would constitute a petty offense, and that, without

a very expensive and wholly impractical system of espionage, the law would soon come to be honored quite as much in the breach as in the observance. A law disregarded and impracticable of enforcement cannot find justification in wise public policy. It breeds disregard of all law.

I cannot escape the conviction that this bill, in the broad scope which must be given to it renders it effective at all, radically interferes with the liberty of our people as regards otherwise innocent conduct. Applied to conditions in this state and within the reach of our law, I am unable to see in the bill any advantage to the general welfare adequate to fairly justify such restraint. The conclusion is, I think, inevitable that the enforcement of the measure, if practicable at all, will impose a burden of expense without compensating promotion of the public good. I am, in addition, advised by legal counsel that the bill is unconstitutional. In the presence of these considerations, I deem it my duty to return it without my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

April 26, 1915.

To the Honorable, the Legislature:

I have the honor to submit to you a brief synopsis of the report of the Black River Falls relief committee which has been filed with me. The report is a complete, detailed statement of the receipts and disbursements, and complies with the direction of the acts appropriating state money for relief and repair work at Black River Falls, following the flood of October 6, 1911.

There was appropriated by Chapter 13 of the special session of 1912, from the drainage fund, the sum of $71,000 for the purpose of building dams, dikes, retaining walls and other works in and along the Black river to protect swamp and overflowed lands granted to this state by the United States Government, and located near the city of Black River Falls. This act also provided for the repayment to the committee of money spent by it for this purpose prior to the appropriation.

Chapter 21 of the laws of the special session of 1912 appropriated to this same committee the sum of $35,000, from the general fund, "to relieve destitution and suffering caused by the flood at Black

River Falls on October 6th, A. D. 1911, and to remove and destroy the menaces to public health caused thereby."

The report of the committee shows that it also spent, for relief and repair work, an additional sum of $61,833.31 which it received from private contributions.

The report is voluminous and detailed, showing the items of receipts and the amount and purpose of each disbursement. The whole amount of the appropriation has been spent by the committee for the purpose for which it was made. No member of the committee received any compensation for his services and an exceptional volume of work was accomplished with the amount of money at the disposal of the committee. The report further shows that certain real estate, purchased for the purpose of carrying on the work of relief and repair, is still held by the committee. It is suggested that this property be turned over to the city of Black River Falls. I urge that the necessary authority be given to the committee to carry out this suggestion.

The members of the relief committee are: Hon. B. L. Van Gorden, Hon. Henry Johnson, State Treasurer, Elting Elmore, Major Charles Williams and George F. Cooper. The work of this committee can hardly be estimated by a general statement of the facts. The detailed report shows that an immense amount of time and work was necessary to get the results that have been attained. The detailed report is on file in the Executive Office and may be seen by any one who is interested. The committee is entitled to the thanks of the people of the state for the unselfish devotion and effort given to this work. I am sure that I do not exaggerate when I say that the work of this committee and the fullness and accuracy of its report is a model of efficiency.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated May 3, 1915. *Governor.*

EXECUTIVE COMMUNICATIONS

To the Honorable, the Legislature:

I have the honor to transmit herewith a copy of the Report of the committee to Investigate the Levee System of the Wisconsin River in the vicinity of the City of Portage. This committee was appointed in accordance with Chapter Eight of the Laws of the Special Session of 1912 and continued by Chapter 683 of the Laws of 1913.

I respectfully urge that your honorable body give this report and the recommendations of the committee thoughtful consideration. The matter of protection to life and property, against the danger of water, in the vicinity of Portage, is of great importance to the people of that section and indeed to the people of the whole state.

We have in the past had frequent examples of the devastating power of floods in that and other sections of the state. It is, in my opinion, wise to expend public money to prevent loss, where it can be prevented, rather than to spend it in repairing and replacing after the loss occurs.

I especially urge that you give consideration to the recommendations for the creation of a Levee District and for the appropriations of a sum sufficient to protect the levees already built until the new district can take over that work. I have requested Hon. George Staudenmayer, who is a member of this committee, to prepare and introduce a bill covering these recommendations.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated May 3, 1915.

To the Honorable, the Legislature:

I have the honor to transmit herewith a copy of the report of the committee to investigate the levee system of the Wisconsin River in the vicinity of the city of Portage. This committee was appointed in accordance with chapter eight of the laws of the special session of 1912 and continued by chapter 683 of the laws of 1913.

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I especially urge that you give consideration to the recommendations for the creation of a Levee District and for the appropriation

of a sum sufficient to protect the levees already built until the new district can take over that work. I have requested Hon. George Staudenmayer, who is a member of this committee, to prepare and introduce a bill covering these recommendations.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, May 3, 1915.

SPECIAL EXECUTIVE COMMUNICATION

May 18, 1915.

To the Honorable, the Legislature:

As you know, I came to the office of Governor, pledged to do my part in reducing the burdens of taxation which had become almost unbearable. Determined to redeem that pledge I have made a diligent effort to discover the cause of the wide departure from the economies which characterized our state government for the first half century of its existence. I think that, in a measure, I have succeeded and address this message to you for the purpose of, in part, making known my conclusions and of appealing for co-operation along the lines I suggest in returning the administration to the safe plane the framers of the constitution intended it should occupy.

You who were chosen to represent your districts, and I as Governor, are here with the same mandate from and obligation to the people. We are here in a common cause and can accomplish the ends that the people demand of us only by co-operation. I have faith that, being advised of the facts, you will work in the light of those facts to bring about the results that the people expect from our efforts. When we entered upon our respective duties we severally made solemn oath that we would support the constitution of our state. That was not a mere form. In the discharge of the duties we can be guided by no higher purpose than absolute loyalty to that oath.

The state constitution was framed by the wisest body of lawyers ever assembled in our state. It is a declaration of principles supposed to be essential to preservation and conservation of the life, liberty and general prosperity and happiness of the people. It was adopted by the people. It contained the limitations which the

people determined are essential to a safe government by the people. Those limitations being prescribed by the people they should be studied, understood and strictly obeyed. To speak of them lightly, or try to evade them, or chafe under judicial decrees vindicating them, is dangerous and persisted in could not fail to lead to confusion and disaster. That there has been much of that in recent years must be plain to all. The progressive disregard of constitutional treatment of the trust funds and property of the state, is striking evidence of what I suggest and leads me to suspect that in like disregard of constitutional restraints can be found much of the real logic of the enormous increase of state taxation which you, as well as myself, are pledged to remedy.

No wiser check upon injudicious expenditure of public money or protection against burdensome direct and indirect taxation was devised by the framers of the constitution than that found in paragraph 5 of Article VIII.

There it is provided, with an opening declaration of the subject covered, as follows:

> "ANNUAL TAX, LEVY OF. The legislature shall provide for an annual tax sufficient to defray the estimated expenses of the state for each year; and whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a tax for the ensuing year, sufficient, with other sources of income, to pay the deficiency as well as the estimated expenses of such ensuing year."

Thus the constitution clearly deals with appropriations of money to public use as one thing, with levy of taxes to produce a fund of money to appropriate from as another, and with both as legislative functions.

Courts elsewhere have held under somewhat similar provisions that there cannot be a constitutional state tax without a legislative levy. By legislative levy they have meant one naming the precise amount of public burden—not a maximum sum leaving it to administrative officers to reduce it in their discretion. Our Supreme Court recently declared the constitutional idea to be that the legislature itself shall levy the tax, leaving it to administrative officers only to carry out the legislative command. That was the practice under the constitution for many years after its adoption. That it was an effective guard against extravagance all must appreciate. As our court has said, the people in adopting that plan purposed keeping the power to levy taxes as near themselves

as possible, and, so, made the legislature responsible therefor. That system was first departed from by making a maximum tax levy and leaving it to administrative officers to reduce it by any surplus they might determine was applicable therefor. Later, a general enactment, now found in section 1069a of the statutes, provided for such a discretionary reduction—which section it seems is contrary to the spirit of the constitution and should be removed from the statute book. Finally, the legislature omitted entirely to make any constitutional levy of state taxes, merely made appropriations and left it to administrative officers to determine the amount of direct tax levy necessary to provide the required funds to meet such appropriations.

That such abdication by the legislature of one of its most important duties, led to want of that appreciation of responsibility necessary to reasonable limitation of state expenditures, is not to be wondered at. The bad practice should be utterly abandoned. I urge you to do your part in this respect and have faith that you will do so. Before adjourning do just what the constitution commands: Make an estimate of the deficiency in ordinary revenues to meet estimated expenses to be paid out of appropriations for each of the succeeding two fiscal years; add thereto any deficiency for the preceding years; and, by bill, levy a state tax to cover the total. No other state tax will meet with my approval, or will be made by my consent.

I wish to call your attention, in connection with the foregoing, to what I understand to be a constitutional surplus and a constitutional deficiency. The fundamental law deals with the latter, specifically, and with the former, inferentially, though just as plainly. I think there has grown up in recent years a perverted idea of both. That is quite a natural result of the abdication of legislative duty to pass upon the necessity for a state tax and to absolutely fix the amount in case of there being, in legislative judgment, necessity for any such tax.

The constitutional idea is that the legislature shall levy state taxes to cover, with the ordinary revenues of the state, the estimated expenses which will have to be met before the time for it to act again. If the same proves insufficient, then there is the deficiency spoken of and the constitution specifies, unmistakably, how it shall be provided for. Not by borrowing. That would create a state debt which is most emphatically prohibited by the constitution. It is to be provided for by being included in the next legislative levy.

Note the words: "Whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a state tax for the ensuing year, sufficient, with other sources of income, to pay the deficiency as well as the estimated expenses for such ensuing year."

Thus it will be seen that there is only one way by which a constitutional deficiency can be created and that is by the estimated revenues of the state and the state tax levy failing to produce enough money to cover the appropriations. The practice of creating a deficiency by spending money in excess of the appropriation and violating the constitution in letter and spirit, as I fear has sometimes been the case, by borrowing, in some form, is all wrong and should not be further permitted. The plan of our state government is that the legislature shall place an arbitrary limitation upon the expenditures for each particular purpose for each fiscal year by the appropriation therefor. Every department should be made to understand that and be held strictly responsible for any expenditure or obligation beyond its appropriation. To that end the accounting officer should limit warrants on the treasury for any purpose to the money available for such purpose and the state treasurer should limit payments accordingly. All those checks upon public expenditures are essentially a part of the constitutional plan. Borrowing money from one fund for the benefit of another, or borrowing of banks by state boards or departments, or borrowing, in effect, by securing advance tax payments, is contrary to the spirit of the constitution and should be discontinued.

Now a few words about a constitutional surplus. That can, in my judgment, be created in but one of two ways: 1st, by the estimated ordinary revenues of the state and the legislative tax levy designed to cover the appropriations, together producing an excess; 2d, by the money appropriated for a particular purpose for a fiscal year not being exhausted by the expenses for such year for such purpose. In either case such surplus, automatically, at the close of such year falls into the general fund and may be taken account of by the legislature in making the next appropriation and tax levy. In this connection I suggest that it is doubtful whether the legislature should or can properly provide for an unexpended balance as to any department being disposed of otherwise than by applying it on the next appropriation for such department or treating it as having lapsed into the general fund of unappropriated money.

I commend the idea here suggested to your earnest attention.

Make the tax levy for each of the next two years, not to be increased or diminished by any administrative officer or officers. Do not tolerate any deficiency created by expenditure of money in excess of appropriation and do not fail to make a constitutional disposition of any surplus there may be in the general fund or in respect to any particular department fund.

There can be no better way of establishing efficient state finances than by a firm adherence to the requirements of the constitution. In what I have said I do not purpose casting any reflection upon the administrative officers who have in recent years made the tax levies which the legislature failed to make. Such officers, in the best of good faith, followed a bad custom and will, doubtless, be glad to co-operate in returning to the plan which the people designed in the beginning.

Fixing the tax levy in the way the constitution prescribes is a mere matter of arithmetic once the legislature has voted authorizations. Fitting revenues to authorizations already made is a mere matter of voting away the public's money, for the legislature has the power to levy taxes large enough to cover all its appropriations. The hard thing is to decide the least the state needs to have appropriated in order that no necessary work shall be neglected and the least that can be called for while still doing all necessary work efficiently. Recent excesses have probably in a measure been due to the fact that the legislature instead of itself fixing the levy to care for all its appropriations has left to others to decide whether appropriations were larger than the state could afford. A reminder of the conditions which confront us will help the legislature, tax payers and the governor decide for what purposes and in what amounts the legislature would be justified in levying a general property tax.

In my first message I was unable to give you data concerning the financial condition of the state any further than to present to you the department reports. I regard it unfortunate that the state has not so far inaugurated a system of accounting under which it could at all times be determined just what our financial situation is. It would seem that such information is essential for the legislative and executive branches of the government which must determine future expenditures.

As the result of an investigation by able accountants, covering a period of nearly two months, I am now able to present to you such

financial estimates as the governor should be able to give the legislature at the opening of the session.

Careful estimates indicate that at the close of the fiscal year, June 30, 1915, the state treasury will have a cash balance of $2,933,000. Though called a cash balance it is not a free and unincumbered balance. A millstone of obligation hangs over it. This balance is not available for reducing appropriations for next year's work. Against it are authorizations on account of this and previous years of $4,591,000, which, subject to legislative action, will be in force and unapplied June 30, 1915. ($897,000 for operation and $3,694,000 for improvements.) Some of these authorizations might be repealed ($1,542,000); others can be lapsed at the end of the year, such as the $897,000 for operation less $114,000 balances in revolving funds; others represent permanent improvements already begun which must go on and be paid for out of next year's tax levy ($2,152,000). In this connection it will be interesting to learn that during the fiscal year now about to close the expenditures of the state government, excluding strictly agency transactions, will be $13,896,500; the receipts from all sources, $13,023,950, or an excess of expenditures over receipts of $872,550.

Besides the $4,591,000 of unapplied balances which includes $3,694,000 for improvements, there is a contingent liability of from $2,500,000 to $3,000,000 of which $987,800 is now in litigation as paid under protest by an insurance company for taxes the state may have to pay back if the courts decide against the state in the suit now pending. The state hopes and expects to win this suit, but prudence would require that the legislature should not authorize spending any part of $2,500,000, least of all $987,800 actually in litigation by consent of the state, which the courts have not yet finally declared belongs to the state.

The next year will begin, therefore, unless the legislature enacts otherwise, with a certain liability of $4,591,000 because of previous years' authorizations besides a contingent liability of $987,800 actually in litigation. But even disregarding the contingent liabilities, the cash balance of $2,933,000 may not be counted upon to help us meet the certain liabilities. This cash balance is $872,550 less than the balance with which the year 1914-1915 began. The state needs $3,000,000 as a working fund with which to begin each fiscal year and without borrowing to tide over the first six months' period before the bulk of taxes are paid in. Even if you should vote to use the cash balance as a partial offset to the liabilities of 1915 you

must anticipate conditions the next July and vote $3,000,000 for a treasurer's balance with which to begin the second year of the biennium. Except as the legislature by special act lapses unapplied balances for operation and repeals authorizations for improvements there will be a certain liability of $4,591,000 in July besides a contingent liability of from $987,800 to $2,500,000. Merging these liabilities in next year's bookkeeping or forgetting about them or blinking them does not remove them. The obligations are there and require legislative action—either lapsing, repeal or tax levy.

When reviewing each of these authorizations and expected balances will you have in mind that all amounts which you do not lapse, or repeal will have to be included in a general property tax for next year?

Let us now consider next year's estimates by themselves without confusing them with this year's balances of unapplied authorizations or unused cash. In all statements of expenditures and receipts I omit strictly agency transactions where the state acts only as collector and distributor.

From all other sources of revenue, apart from general property taxes, receipts may not safely be estimated to exceed $9,300,000. This is somewhat less than you will find in the budget estimates. It is, however, all that it is safe to count upon and more, rather than less, than should be appropriated against. Whether to use the original figure or the reduced figure depends upon the attitude we are to take toward possible assets. If we take the attitude which the business world must take, several estimates ought to be decreased. We shall not have an opportunity to correct our mistakes if we overestimate. If we underestimate, however, the state will benefit. For example, jitney busses will cause a reduction of street railway taxes; income taxes will certainly yield less; $500,000 should not be estimated from the life insurance company that is suing to recover former payments or appropriated against until pending suit is decided; inheritance taxes should be estimated at the minimum of recent years—in fact, it is doubtful if they should ever be appropriated against until actually received. The only safe financing is to assume that every dollar authorized by you in excess of $9,300,000 will have to come from taxes on general property.

Because this generous total, $9,300,000, does not come directly from general property is no reason why it should be treated as "easy come, easy go." Taxes levied upon general property for the university and normal schools and capitol are just as much general

property taxes as if levied for any other state work. It is a tax none the less because it is paid by railroads, insurance companies, parents who pay incidental fees, inherited estates and incomes. Every dollar of it which is wasted or needlessly spent means a dollar added to the property tax. The purpose of the income, railroad, corporation taxes, etc., was not to raise more taxes but to raise taxes more equitably. These other sources of revenue should be used to make property taxes unnecessary in like amounts, not to conceal the burden of unnecessary expenditures. The public in turn should hold us as strictly accountable for the way in which we spend this $9,300,000 which it feels little or not at all, as for our direct levy of all above this amount through a general property tax.

If the state expenditures were kept within revenues other than general property taxes, the only general property tax needed would be $2,138,000 for the common schools which the state collects merely to distribute it again in proportion to school population. If, on the other hand, all estimates in the budget for operation and improvements should be provided for, a property tax of $6,507,100 would be needed next year besides the common school tax of $2,138,000, or a total of $8,645,000. This would be $1,000,000 larger than the largest previous general property tax ever raised in this state (1914) and even then would not provide for that part of estimated, unapplied authorizations not included in the above estimates which the legislature may not lapse or repeal as of June 30, 1915; nor would it provide for the contingent liability above mentioned.

For operation alone you were asked in the budget estimates to plan an expenditure of $12,277,000, including state aid. This is $2,977,000 above the expected receipts from other sources than general property tax. For improvements, $3,530,000 is asked. This makes a total of $6,507,000, any fraction of which could come only from general property tax. Again, these totals do not include any provision for outstanding authorizations for improvements totaling $1,935,000, or for keeping $114,000 balance in revolving fund.

Somewhere between relying upon other revenues with a common school tax of $2,138,000 and a general property tax of $10,694,000 (amount of all requests for next year, plus unapplied balances of June 30, not included in estimates) the Legislature must fix the final general tax levy for next year. These two limits are extremes, but extremes which help show the state's problem.

There is already appropriated $11,177,000 for operation again including state aid and $1,032,000 for permanent improvements or a total of $12,209,000. (Operation; boards and departments definite, $2,795,600; unlimited-sufficient, $1,782,800; receipts, $353,600; highway, $1,270,000; board of control, $1,983,100; normal schools, $728,000; capitol, $600,000; normals, $750,000; University, $47,000; board of control, $175,000; boards and commissions, $135,000.) This is $2,909,000 more than the other revenues. Thus if the legislature were to adjourn without acting at all on any appropriation bill, there would be required a general property tax of $2,909,000 for state purposes and $2,138,000 for common schools; or for all purposes, $5,047,000. If authorized improvements already contracted for are continued, $2,152,000 more must be provided out of next year's levy or $7,199,000.

The foregoing total, $7,199,000, provides not one dollar for new appropriations or for several activities that must be continued even though they have not as yet come under the continuing appropriations voted by the legislature of 1913. As to outstanding improvement authorizations it provides only for those against which charges have already been made, $2,152,000.

Improvement authorizations against which no charges have yet been made and which are, therefore, subject to repeal without stopping work already begun total $1,542,000. These authorized but temporarily arrested improvements are the following:

$255,000	Agricultural Board, State Fair buildings.
100,000	Forestry investment fund.
20,000	Land department for reserve.
50,000	Merrimac Bridge.
12,000	Trade School. (Operation never charged against.)
50,000	Administration Building, Milwaukee.
17,500	Madison street improvement.
45,000	La Crosse Normal.
100,000	Normal dormitories.
350,000	University, men's dormitory and union.
200,000	University, Physics building.
150,000	University, Liberal Arts building.
58,000	University, Soils building.
50,000	University, Shop building.
75,000	University, New building equipment.
9,000	University, Lincoln's statue.
$1,542,000	Total.

(There are also improvement authorizations which become available July 1, 1915, which should be reviewed to see whether any of those may be postponed without injury to state work.

$50,000 Forestry investment fund.
10,000 Land Department.
45,000 County agricultural buildings—no construction contemplated but authorization in force.
30,000 Highway bridges.
25,000 Board of Control land.
150,000 Southern Wisconsin Home for Feeble Minded, which will carry a balance of $80,000 for improvements.
75,000 Eau Claire Normal, available March 1, 1916.
47,000 University land contract.)

Before you ever vote upon another appropriation bill, therefore, you start with present authorizations in excess of expected receipts, ($7,199,000 plus $1,542,000) which, if not diminished by repeal, will require a general property tax of $8,741,000. No action whatever is required to compel this sum, $8,741,000, in the tax levy. To reduce that levy will require specific action by the legislature. In other words, if amounts already appropriated are not reduced by legislative action, every dollar that from now on is voted for any purpose whatsoever will come out of general property tax and will be fixed in the tax levy by the legislature before it adjourns.

The amount that shall be voted is for the legislature to propose. The needs of the state, governed by the ability of the people to pay, should determine this amount. It is in the hope of helping you measure requests by needs that I have in this message emphasized the importance of legislative compliance with the constitution in fixing the tax levy and have recalled that every dollar of appropriations voted for next year or retained from this year will go into the tax levy. It is my intention to consider all appropriation bills at one time. Obviously, I cannot consider the merits of one appropriation without seeing whether or not there is money to meet this increase and whether it seems disproportionate. If there is an advantage to the legislature in considering the passing of bills separately, it is clear that for the governor to act intelligently and fairly it is necessary for him to have before him at one time all of the bills or all of the facts relating to necessary appropriations.

Finally, will you, so far as you can, make your appropriations

in separate bills. This will be especially desirable for the reason that the governor will thus be given the opportunity, which is denied the legislature itself, to consider each bill in its relation to all other bills and to the state's program as a whole. It is the only way in which the governor may discharge his constitutional duty to approve or disapprove appropriations without causing unnecessary trouble and delay for the legislature.

In the interest of the state the governor must express his judgment with respect to the details as well as the totals of appropriation bills. In order to enable the governor to do that, without causing unnecessary delay and trouble for the legislature, it will be advisable to send the appropriation bills here in such form as will enable him to disallow such items as he deems inadvisable, while approving of all items which seem to him advisable.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

EXECUTIVE COMMUNICATION

To the Honorable, the Legislature:

I return you herewith bill No. 167, A. without my approval.

Boulevards and parkways are constructed at a large cost for the purpose of beautifying cities, and no general authority should be given to appropriate them for traffic purposes.

If it is desired to at this time use some particular boulevard or street in order to improve the system of street car lines for the benefit of the public, the law should be specific in its direction, confining the authority to the boulevard or parkway that must be used for that purpose.

I cannot agree to the proposition of giving authority to use any or all boulevards and parkways for the accommodation of transportation lines.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, June 1, 1915. *Governor.*

June 10, 1915.

To the Honorable, the Legislature:

For some time a sentiment has been growing in the state of Wisconsin against our present system of governing educational

institutions. That sentiment is now very strong. It is not too much to say that the majority of our people believe that our educational system is top heavy. While we have given much time, attention and money to the development of higher education, our common schools have received too little attention, particularly our rural schools which are such an important factor in upbuilding our state interests.

There is also a strong sentiment among our people that our higher institutions of learning have developed too fast. I do not mean that in the matter of quality our growth has been too great. The standards of our educational institutions can never be too high. But it is a general and I think a well founded impression, that our educational institutions have adopted a policy of expansion which is outrunning the needs of our own state.

With a view to making a more equitable distribution of the money that the people can afford to raise for educational purposes, and with the further object of correlating our educational system so that all our educational institutions shall grow and prosper proportionately, this legislature has undertaken to create new laws with respect to our educational activities and to establish a government for them which will be complete in its organization and will be able to see our educational requirements from the University even to the smallest one-room rural school. The problem which these laws aim to meet has been expressed by Editor Winship of the Journal of Education, Boston, as follows:

"The greatest problems that Wisconsin faces are those that have to do with the modernizing of her school system, notably of her rural and village schools."

Our higher institutions of learning require more cooperation, and for the good of the state should have greater regard for the entire public school system.

You have before you a revised bill which provides for a central state board of education.

This bill is offered by the assembly committee on education and is entitled "Substitute Amendment No. 1, A. to Bill No. 262, A." The central board is to consist of twelve members and the state superintendent of public instruction ex-officio. It is to have fiscal responsibility for all state supported educational activities and governing responsibility for all state educational institutions. The twelve appointive members are to be appointed

by the governor by and with the consent of the senate (Section 376-51). I ask your support of this bill because of the benefits it promises (1) to our rural and other common schools, (2) to our entire educational system, and (3) to the taxpayers of the state who have asked you and me to put the state in a more favorable position when dealing with requested appropriations for university, normal schools, and other educational purposes.

The bill outlines what the committee on education deems the best step for Wisconsin to take in the interest of its tax supported education. It represents an amount of study and deliberation such as can be given to few legislative proposals. The joint committee held public hearings on the original bill introduced by Assemblyman Van Gorden, No. 262, A., and heard in detail from those favoring and opposing the central board idea. In many executive sessions it reviewed the reasons and information given at the hearings, gave consideration to letters from prominent educators in our own and other states. It asks you now to accept its conclusions and to enact its substitute bill into law. I wish to supplement its recommendation with appeal for your prompt and favorable action.

It has been thought wise not to burden the proposed law with much detail. After stating unequivocally the principle of central responsibility, it gives to the central board general powers by which it can supplement the procedure which the act describes with such additional or modified procedure as experience may show to be necessary in order to increase the board's efficiency. The main features of this revised bill which I believe entitle it to favorable and prompt action by the legislature are as follows:

It insures many sided attention to common school needs which has never been given in our state. It requires that the need of the common schools shall be the starting point for considering every proposal for state support of university, normal schools, Stout institute and the mining trade school. (Sections 376-51, 54, 56, 65, 66, 69, 78, 79.)

It centralizes and unifies control of matters common to all educational activities (Sections 376-51, 53, 55, 56, 64, 73, 78, 79).

It leaves control of local matters to local authorities. The University Board of Visitors is not abolished, but continues subject to the control board where now it is subject to the separate board

of regents (Sections 376-59, 70, 71, 72, 77). No duties are taken from the state department of public instruction.

The central board will produce a balanced growth and raise the standard of our common schools. This better preparation for higher education will redound to the benefit of our normal schools, colleges and university.

It provides that one or more regents shall be appointed from the two boards of regents at present responsible for the university and normal schools (Section 376-51). This reserves to the new board the knowledge that has been gained by experience by the older board.

It requires publicity of all actions and records and requires not only annual reports which will account for work done and money spent, but also open public meetings, open records of meetings and publicity of findings of executive sessions from which the public may for good reason be excluded (Sections 376-59, 67, 69).

It continues the present policy that only a minority of the board shall retire each biennium so that there shall never be more than a minority of new members who are not yet acquainted with the board's work (Section 376-52).

By paying a per diem of eight dollars plus all expenses it makes it possible for able men on small incomes to give to the state's educational work their services and to represent the laboring classes and the farmer and the small business man who, without such per diem might not easily be represented (Section 376-62).

It will put an end to the log-rolling and lobbying with the legislature in the interest of one or the other educational institutions. It will provide not only information for legislators, but also a thorough advance review of appropriations demanded. Thus they may decide on the basis of evidence without the intervention of special pleaders (Sections 376-69, 70, 78).

It provides for a responsible, central, continuous study from the standpoint of the whole state of each educational activity (Sections 376-66, 78, 79).

It provides a unified supervision of all state aided educational institutions.

It puts in educational hands responsibility for educational affairs and into business hands responsibility for business affairs.

This bill creating a central board of education does not include

all the provisions for the improvement of common schools which this administration has proposed. A number of other bills are pending which must be taken as part of a general scheme for promoting education of the masses. The educational institution which stands in greatest need of immediate assistance is the rural school where a large percentage of our country boys and girls receive all the education they ever get.

The first step for improving our rural schools is to improve the rural school teacher. In order to accomplish this I regard it essential that rural school teaching be made a distinct profession. In order for it to become so, sufficient compensation must be provided to encourage young men and women to enter this profession and stay in it. Two measures are now in the hands of the education committee which propose that the state pay out of the seven-tenths mill tax for common schools graduated increases in salary to rural and village school teachers according to the length of efficient service. Upon these bills the education committee will shortly report. The committee bill will aim to make country teaching at least as remunerative as city teaching. Under no other system can we hope to hold talented young men and women in rural schools.

Other bills which provide for more and better supervision of rural schools are also in the hands of the committee on education. By better supervision we mean more supervising and visiting teachers. The committee has found that counties having as high as 350 rural schools now employ only one superintendent and no other supervision. This is practically no supervision. Still other bills provide that the state will out of the seven-tenths mill tax for common schools pay the salaries of supervising teachers so that every fifty or sixty schools under the county superintendent will have at least one supervisor.

Thirdly, there has been general complaint that the county board of education as now constituted is not a satisfactory institution. A strong demand arose for its abolition. In fact, one branch of this legislature has, as proposed by me in January, already gone so far as to repeal the law creating it. The objection to the present law has been based largely on the fact that because of the elective feature and because members of the county boards of education receive compensation, slight though it is, the office has in many instances been sought by persons who were not inter-

ested in school work. At the same time, there is an undoubted demand for county supervision with respect to matters such as the settlement of school district boundaries, especially in the more sparsely settled portions of the state. In order to overcome the objection to the paid board and at the same time to retain the benefits of a county board of education, bills are being considered by the committee on education which will provide for a non-paid board of three to be appointed by the county board instead of being elected. This system will enable the county board of supervisors to select men who are interested in education and who are willing to devote their time to the betterment of our schools. Furthermore, this new system will keep these boards out of politics.

A fourth proposal would increase the minimum compensation of county superintendents from $1,000 to $1,200 per annum in order to attract and to hold competent men and women.

These four bills and the central board of education bill are measures proposed by this administration in the interest of a better educational system.

That more attention must be given to superintendence and inspection of our rural schools may be deduced from the following figures.

Of 211,000 children between the ages of 7 and 14 who attended schools under county superintendents last year, 62,000, or nearly one in three, attended less than the regular number of days. One in 10, or 16,400 of rural school children attended fewer than 40 days; one in 5, or 32,400 attended fewer than 60 days. In rural and common schools outside of cities 204,000 between the ages of 7 and 20 either never went to school at all or else attended so few days that they could have derived little or no benefit from their schooling.

There are now eight normal schools in operation and an additional one will soon be completed at Eau Claire. These schools are maintained at a large cost, and are supposed to be professional schools for the training of teachers. Reports show that in the year 1914 only 123 normal school graduates were teaching in rural schools. Evidently the graduates of these schools find employment in the cities or leave the state. The rural schools receive but little aid from them. Our experience in this respect shows conclusively that our rural schools need not look to the

normal schools for a supply of trained teachers. Some provision must be made for better qualified teachers for our country schools. The county training schools could be used for that purpose. The educational standard of those institutions should be raised, and more of them should be built. The children in the country should be given an opportunity to get a good general education besides being trained in agriculture, and the country teacher should be prepared to meet this necessity.

The need of more comprehensive study of the financial requirements of the normal schools and the university was plainly shown by the manner in which the budgets for these institutions were submitted to the present legislature. The normal school budget came to this legislature without the proper review by regents and without plan for the economies which officials in the summer of 1914 announced as accomplished. The university budget asking for $6,000,000 for the next biennium came to this legislature with the explanation that it represented the estimates of the educational officers and business manager, and that there was not available time to submit these estimates to the regents for review and revision.

The budget estimates for these various purposes, which total $10,000,000 for the next biennium, were not compared with one another or fitted to one another or even reviewed by any one representing the whole state before they were submitted to the legislature. Instead of being treated as different parts of one state program, each of these measures is being promoted by representatives of the respective institutions and sometimes by log-rolling and lobbying. It is such procedure and such conditions that have caused legislators, governor and public alike to overlook the common and rural school. Out of sight means out of mind here as in other human affairs.

In this bill substantial headway is made toward insuring the combination of advantages to which President Silas Evans of Ripon College referred in his letter as follows:

"It has been my conviction that some central, unifying agency is the crux of a constructive educational policy. It can bring proper perspective for service to the separate schools, can curb or direct the ambitions of administrative officers and instructors into lines of social service, and also can more rightly proportion the funds which are available. Complexity of interest in educa-

tion demands simplicity of oversight for adjustment. Education in and for a democracy clearly must not neglect the majority. The far-reaching policy is to care adequately for the rural schools and the grades. While giving enabling powers to the large number in their period of greatest need, the higher schools of learning, which furnish the leadership in all lines, must also not be neglected."

In many ways the rural and other common schools will be aided if you pass this revised bill. It makes the central board a board of estimate and apportionment for the entire school system—common schools as well as the university normal school, Stout institute and mining trade school (Section 376-69). It makes the elective state superintendent of public instruction a member of the central board for the express purpose of having the common schools always represented in its deliberations (Section 376-51). It makes a knowledge of common schools a qualification for membership on the central board—in other words, a governor may not appoint to the central board a person who has not a "general knowledge of common schools" and a "knowledge of state needs" (Section 376-51). It specifically imposes upon the central board the duty of keeping the common schools in mind when it considers the so-called higher schools "to the end that all tax supported educational institutions may become a harmonious and correlated whole" (Section 376-56).

In selecting a commissioner from "men of recognized educational leadership" the board is to rank successful experience in the public school field as proper qualification. It is made necessary for the board and him to study "the several grades of schools" and "every phase of public education" (Section 376-66). In preparing budgets for the university and normal schools it must keep in mind the background of public school needs.

The bill requires that the existing organization for supervising the common schools, the department of public instruction, be recognized and used by the central board, which must use "the information obtainable in the department of the state superintendent so far as practical" (Section 376-66). It must not only receive and consider recommendations from the state superintendent and exchange information with him, but must make recommendations to him in addition to any recommendations which

it may make to the legislature when submitting the educational budget (Section 376-51, 69, 78).

The mere recital of this many-sided program for aiding the rural and common schools shows that the bill represents a long step forward in the right direction.

At the same time, it is obvious that each of these steps will help the university, the normal schools, Stout institute and the mining trade school, each of which exists as part of the educational system and not for itself. The stronger the lower schools, the greater will be the demand for higher schools. Attention such as this bill provides will never be given until the legislature makes it the business of official body and of one set of officers to think of different parts of the state's educational work not as separate and independent activities, but as related, mutually dependent parts of a great whole. It is not necessary to show that Wisconsin is an exception. It is not an exception unless in the fact that it proposes now to deal more comprehensively with this situation than the majority of states have yet done. The whole case is put in a nut shell in a letter which I received from President Pritchett of the Carnegie Foundation for the Advancement of Teaching:

"Under existing conditions when each part of the state's system develops without regard to the other there is enormous waste of money and of equipment. More important still there is an educational waste which shows itself in superficial teaching, in emphasizing so-called higher education at the expense of thorough elementary teaching and in setting the ambitions of children toward other callings than those of their own neighborhood."

In settling home questions like this, Wisconsin must be guided by its own knowledge of its own needs. But no state can afford to act without doing its best to profit from the experience of other states. Acting for the committee and for the state I sought out-of-state opinion and experience, by writing to noted educators who as presidents of colleges, professors of government and education or commissioners of education or other administrators have had reason to study the advantages and difficulties such as are involved in the unification of Wisconsin's educational system.

The answers to these letters have been carefully considered. They are important because they are specific. Because a man might favor one part of the plan and be opposed to another I

did my best to ask questions which would ascertain what each one opposes and what each one favors. The plan before this legislature was stated and the questions asked, whether so far as practicable, state co-operation in common school work should be included in the scheme of unified supervision; whether centralization should stop with central financial control or should include other governing powers; whether local boards for the university and normals should be retained after a central board is appointed; whether weaknesses heretofore exhibited by various central boards of education have been inherent in central control or due to preventable procedure and method. Suggestions and answers were followed up and every effort made to get for Wisconsin the most competent judgment of the country with respect to a unification plan for Wisconsin's educational system.

Noted educators have answered in full detail and with expressions of interest in Wisconsin's problem as it relates to the nation's problem. They want us to solve this problem right. They do not all agree. But there was a general opinion that the central board was the tendency of modern educational advancement.

By common agreement the central board has been a success in New York, Massachusetts, New Jersey, Florida and Idaho. Those nearest to the situation in Kansas, Oklahoma and Idaho claim that experience testifies for and not against central boards and that the mistakes which have been made are not difficult to avoid.

There is just one agency in the country, excepting possibly the United States Bureau of Education, which has been trying to study this question of central boards of education extensively and comprehensively. This agency is the Carnegie Foundation for the Advancement of Teaching. President Pritchett of this Foundation has repeatedly stated in his reports that the tendency is undeniably toward centralization and has shown with respect to many mistakes that they were due to administrative elements which the Wisconsin bill has in large measure provided against. In writing to me, President Pritchett declared, "Unity of purpose and co-ordination among the various state schools can be secured only by providing one agency to oversee and scrutinize the work of all."

Among the benefits which have resulted from the Iowa central board the secretary reports: "The board has completely reor-

ganized, strengthened and greatly increased the efficiency of various departments in each of the institutions." Salaries have been standardized upward and more competent instructors secured. Institutions have stopped trying to excel one another and to encroach upon another for, as President Murphy wrote: "They have all been kept from entering new fields and their energies directed along lines of greater efficiency within their present fields."

Other gains to Iowa we wish to duplicate by means of a central board in Wisconsin. To quote President Murphy again: "Legislative lobbying by faculty members, presidents and self-constituted friends of institutions has ceased. At the recent session not a single member of the teaching staff of an institution against which a determined and bitter fight was being made appeared in Des Moines. Everyone was at home attending his proper affairs. The presidents came when called upon for information. The senate passed the central board's budget recommendations without a dissenting vote and in the house on the last ballot there were but five who recorded themselves against it."

"Iowa's central board was created very largely because the legislature became disgusted with the old system of lobbying for funds. Before the creation of the present board each of the institutions went before the general assembly seeking for large sums of money and a great part of the energy of the president and deans and some of the members of the faculty was expended during the legislative sessions in lobbying."

A central board will not lend itself as easily to political influence and personal manipulations as do local boards. No one charges that the central boards of Massachusetts, New York, New Jersey, Florida, Kansas, Iowa or Idaho are being used for political purposes.

The interests of the instructional staff are more carefully guarded in the new bill than under the present law. The fear that academic freedom will be interfered with by a central board has not been expressed by any educational officer in our state so far as I know. It has appeared chiefly in out-of-state papers which expressed concern for freedom at the university. As stated before, the bill places the responsibility for education upon educators and a comparison with this feature with the present law must immediately convince the members that the proposed bill

goes further in the matter of educational freedom than does the existing statute. A board of managers as is proposed in this bill should not be expected to manage the details of instruction in a great university. Its course should be influenced by the results which the institution produces, and whenever results are unsatisfactory it has full power to make such change in the faculty as the interests of the institution may require.

It has been urged that where a state has a state superintendent of public instruction a new officer with the title of commissioner of education should not be added. I see no danger that the people will forget who is who among the state's educational officers; or that the office responsible for detailed attention to public schools will lose in prestige because of such possible confusion; or that the state superintendent of public instruction and the commissioner will interfere with one another's work; or that rivalry between the two sets of assistants will injure where the bill aims to help the common school.

Our state constitution provides for a state superintendent of public instruction to be elected by the people. This same section leaves to the legislature to determine what other educational official shall share with the superintendent responsibility for supervising public instruction. It also leaves to the legislature responsibility for deciding what the duties of the state superintendent of public instruction shall be. The provision reads:

> Article 10, Section 1: "The supervision of public instruction shall be vested in a state superintendent and such other officers as the legislature shall direct; and the qualifications, powers, duties and compensations shall be prescribed by law."

It seems reasonable that an effort to co-operate and to prevent confusion will be just as successful if the state board's officer is called "commissioner" as if he were called "secretary" or "executive secretary." No one in the state thinks of the state department of education as a board of co-ordinate officers. Everyone who knows of it at all knows that it is the office which is directed by the state superintendent of public instruction. The only conflict or confusion that might be serious would be a conflict or confusion of duties. No conflict of this kind exists. Against such confusion the bill specifically provides. The two divisions of government are to supplement and strengthen one another. Quibbling about titles should receive no consideration when the

interests of our boys and girls are at stake. I am confident that the present state superintendent of public instruction and his successors and their subordinates will find in the state board of education and its commissioner material backing which heretofore has been lacking for projects known to be necessary in the interest of the public schools. In other words, the central board bill removes from the normal schools and university the special advantage which they heretofore have enjoyed over the common schools, and gives to the public schools an organized citizen interest which it has always needed and heretofore has lacked when common school needs were before the legislature and the public.

In urging the passage of this bill I have had only the welfare of our educational institutions in mind. I am firmly of the opinion that we can render no greater service to the people of Wisconsin than to enact this bill into law and create a new government for our educational institutions designed to give equal opportunities to all who depend upon the state for an education.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

To the Honorable, the Legislature:

The result of the forestry case, (so-called), suggests that I should urgently recommend such legislative action as will supplement as efficiently as possible the working of the court in rescuing the state educational trust lands and funds from improper diversion thereof.

The constitutional plan was that all lands dedicated by grants from the United States to the state for educational purposes should be administered by the commissioners of public lands, composed of the attorney general, the state treasurer and the secretary of state. In the spirit thereof all lands which the state derived from the swamp land grant and by the state constitution dedicated to educational purposes, so far as the proceeds thereof were not required to drain such lands, were, in the beginning, placed by the legislature under the same jurisdiction as school lands proper. Thus the situation remained for some fifty years and until the unlawful diversion commenced which the court has most emphatically condemned. Had the legislature appreciated that the lands were so impressed with special trusts, and in the

main for educational purposes, that it had no competency to devote the same to a purpose foreign thereto, it seems certain administrative control would have been left with the commissioners of public lands. Divided control, where there can be no divided use, would seem to be clearly bad policy and necessarily lead to waste and again endanger the integrity of the educational trust.

I, therefore, recommend that the forestry legislation be revised so as to eliminate all parts which have been condemned by the court, and restore administrative control of all such trust fund lands to the commissioner of public lands and make it the duty of the board of conservation to take charge of the field work of forestry character and of protecting the trust lands from danger of fires and trespass losses and realization on dead, dying and mature timber and annual forest products. If the board of conservation is not created by law then the work of forestry should be placed in charge of a forester to be appointed by the governor upon recommendation of the commissioners of public lands and subject to removal for cause by the appointing power, he and such other employes as may be necessary in looking after the trust lands to be under the supervision of and accountable to such commissioners.

Since the great mass of remaining trust lands held by the state belong to the normal school trusts, and it is questionable whether the trust will not be conserved by withholding the lands from sale for a time, I recommend for your consideration that the board having administrative charge of the normal schools be accorded such advisory communication with the administration of such lands, especially with sales thereof, as will make their influence on such board efficient to protect any further attempt to divert the lands, or any part thereof, to other purposes, and prevent any undue haste in selling the same.

The present system of an independent board of forestry to handle the trust lands substantially independent of the constitutional board seems very poor policy in the light of the forestry decision. The lands can be made a source of income for school purposes, as was designed by the framers of the constitution. The scheme of reforesting these lands wherever the same have been cut over is at best a poor business proposition and a burden upon the taxpayers of the state.

By the plan I recommend large sums of money can annually be saved to the taxpayers and the danger of again diverting and losing sight of the sacred character of the trust funds will be avoided.

I wish to call your attention to the fact that the law makes no provision for the safe-keeping of deeds and other papers and records covering lands belonging to the state. The result is that such papers are deposited in various offices in the capitol building and there is no systematic care of same. Some public office in the capitol building should be made a repository for all documents of that character. Suitable vaults should be provided for their safe keeping and proper records should be kept. I recommend that you enact such legislation as may be necessary to comply with this requirement.

There is a strong sentiment among our people that this administration shall curtail public expenditures with a view of lessening the burden of taxation. This sentiment was given full expression at the polls last fall and I question whether any man would have been elected to any public office of importance who made it known that he was unwilling to comply with this demand. The people understand that substantial economies in our state government cannot be brought about unless there be a curtailment of expenditures in all of our public institutions. One of the economies that was strongly urged and which I fully endorse is the abolishment of all useless commissions and the consolidation of those that are retained in order that we may prevent duplication of service and produce greater efficiency at a reduced cost of administration. Early in the session the legislature appointed a committee of investigation for the purpose of studying the various state activities with a view of re-arranging them upon a more economical basis. Three consolidated boards were agreed upon by the committee of investigation and I recommend them to you for your favorable consideration.

The board of conservation embraces the fish commission, the fish and game protection department, the forestry board and the board of state parks. These four state activities naturally belong together and can be operated by a single board consisting of three men with much better results and at a greatly reduced cost.

The new agricultural board recommended by the committee,

consisting of the present board of agriculture, the live stock sanitary board, the state veterinarian, the immigration commission and the state inspector of apiaries, properly merges all these agricultural activities under a single head consisting of three commissioners. I recommend this consolidation to you in the interest of economy and greater efficiency. Although the state has at this time an agricultural board, it is an agricultural board in name only. It has devoted its time to the promotion of the annual state fair and practically to no other agricultural subject. It is proper to say in this connection that the members serve without pay and we should be grateful to them for whatever service they have rendered. However, the great agricultural state of Wisconsin should not be without an agricultural bureau that devotes all of its time to the development of our agricultural interests. Much profitable work can be done in the way of increasing our production by producing better seeds and promoting improved methods of farming as well as improving our live stock and our dairy products. These are subjects that deserve the attention of the state. There is no answer to the demand for a lower cost of living except the increased production of our farms.

In order that the work of inspection now carried on by the state may be better organized and that this state activity may be carried on in a more economical and businesslike manner, the committee on investigation reported a bill which creates a board of public welfare. As this bill was originally drawn it included the dairy and food department, the board of public health, the board of control and the oil inspection departments. These boards jointly employ a large number of inspectors, each attending to its own particular business without reference to the requirements of the other. There is probably little that one inspector could not do where often three or four are in evidence. Such a system is wasteful and, like all other overloaded organizations, the men employed soon become inefficient.

A statement has been industriously circulated that the proposed law will associate the work of the state board of health with departments with which it has nothing in common and that the efficiency of the health department will be destroyed. Such statements are unwarranted and are made by men who either do not understand the purpose of the proposed law or are actuated by selfish motives.

Men who have made a study of state government will freely admit that the work of the board of control and the state board of health should have been joined years ago. Men who are competent to supervise health and sanitation are well equipped to act as supervisors of our penal institutions. Such work as plumbing inspection, which is now in charge of the state board of health and which must necessarily be carried on by a plumber rather than a doctor, should be placed in charge of the state industrial commission which has the supervision of other mechanical work.

There is much duplication in the inspection service of these departments. To illustrate: The health department inspects slaughter houses, the dairy and food department inspects meat markets, the weights and measures department inspects the scales in the meat market, another inspector of the health department may inspect the plumbing and sewerage of the same market, while the oil inspector may inspect the oil and gasoline used by the butcher; the hotel inspector may inspect the restaurant in the same block, and it is altogether possible that all of these inspectors may arrive at the same place on the same day. It is for the purpose of avoiding such waste of the government's money that this proposed consolidation has been submitted to you and I recommend it for your favorable consideration.

The three bills that I have referred to have passed the assembly and are now pending in the senate. The bill which transfers the duties of the fire marshal in part to the insurance commissioner and in part to the industrial commission and another bill re-organizing the tax commission in the interest of greater economy in the collection of our taxes are also pending. The consolidation bills that I have referred to give the governor the right to exercise some control over the expenditures of these institutions as the proposed law provides that whenever one of these departments proposes to increase its expenses it must have the authority of the governor to do so. The purpose of this provision is to bring these bureaus in closer touch with the people so that whenever the cost for operating the same becomes too large the people will know that the governor is responsible for the increased cost.

These consolidations have been made in response to a demand from the people for less commissions and greater economy. It is the purpose of this administration to keep faith with the peo-

ple in this as in all other respects and I, therefore, recommend that you give favorable consideration to the propositions that I have herein referred to.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 17, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

M. J. Cleary of Blanchardville to be Commissioner of Insurance for the term beginning July 1, 1915, and ending June 30, 1919.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 25, 1915.

To the Honorable, the Assembly:

I return herewith bill No. 40, A., without my approval, entitled "An act to create section 1623 of the statutes, relating to the running at large of dogs and providing a penalty."

The bill provides that except in cities or villages where dogs are required to be licensed no owner or keeper or other person in charge of a dog shall willfully or negligently permit or allow such dog to go beyond the limits of the premises owned, leased or controlled by him or beyond the limits of the premises on which the dog is regularly kept.

There can, of course, be no objection to confining dogs so far as possible to the premises of the owner; nor can there be any valid objection to holding the owner responsible for any damage that such dog or dogs may do. The provisions of the law at present afford ample protection in this respect.

The penalty, however, provided in this bill is excessive. It does not seem reasonable that a court should be given the right to commit a man to jail for a period of thirty days because of the acts of his dog or because the animal strayed away from the premises of the owner. In fact, if the provisions of this bill were strictly enforced it would make the keeping of a dog im-

possible either by a farmer or any one living in the country without constantly subjecting such owner to the fine or imprisonment provided for in this act.

If it is desired that this bill should become a law the penalty should be made reasonable.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 9, 1915.

To the Honorable, the Legislature:

I return herewith bill No. 542, A, without my approval. It is evidently the purpose of the bill to repeal an appropriation of one hundred fifty thousand dollars for a liberal arts building and fifty thousand dollars for a shop, these appropriations being part of an appropriation of six hundred forty-five thousand dollars made by the legislature of 1913 for university buildings.

The bill is not in good form because it does not directly repeal appropriations that the legislature evidently now wishes to withhold. It is open to the further objections that it makes the unexpended balances which it continues immediately available, which would make it necessary to place the entire amount in this year's tax levy. Inasmuch as two years will be required to complete the buildings provided for by the appropriations we can lessen the burden of the taxpayer by dividing the appropriations into two parts. President Van Hise of the university suggests that the appropriation be made payable as follows:

For 1915-16 ..... $126,900
For 1916-17 225,000

The above amounts to be used in the construction of the following buildings, the different items and the payment of same to be arranged as follows:

	1915-16	1916-17
For Soils building—Agriculture Dept.....	$ 28,000	$ 28,000
For Boilers	5,000	5,000
For Physics building.....	80,000	110,000
For base of Lincoln statue.....	8,900	
For equipment for buildings.....		82,000
For bath house for girls.....	5,000	
	$126,900	$225,000

I recommend that a new bill be prepared for your consideration, appropriating the above amounts and repealing all unused appropriation for buildings provided for in section 1722-53, acts of the legislature of 1913. The management of the university does not now demand the immediate construction of the liberal arts building and the shop building provided for in that act.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 20, 1915.

To the Honorable, the Legislature:

I return herewith bill No. 460, A, without my approval.

The bill is an amendment to section 25-11 of the statutes, forbidding the sale of intoxicating liquors on election days. Under the provisions of this amendment saloons may be opened after the closing of the polls, and intoxicating liquors sold on any primary election day, the day of annual town meetings, spring elections, or the biennial fall election.

The law which forbids the sale of liquor on election days has been on our statute books fifty-six years. I know of no former effort to amend it and I believe it to be the will of the people of Wisconsin that it be continued without change.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated at Madison, Wisconsin, July 20, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

James Nevin of Madison, Wisconsin, to be a member of the State Conservation Commission of Wisconsin, for the term ending on the first Monday of February, 1921.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 23, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

W. E. Barber of La Crosse, Wisconsin, to be a member of the State Conservation Commission of Wisconsin, for the term ending on the first Monday of February, 1919.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 23, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Frank B. Moody of Ithaca, New York, to be a member of the State Conservation Commission of Wisconsin, for the term ending on the first Monday of February, 1917.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 23, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

George B. Harris of Waukesha, Wisconsin, to be a member of the State Board of Control of Wisconsin, for the term ending April 1st, 1920.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 23, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Christian P. Norgord of Madison, Wisconsin, to be commissioner of agriculture for the term ending on the first Monday in February, 1919.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 28, 1915.

To the Honorable, the Assembly:

I herewith return without my approval Bill No. 207, A., entitled "An Act to create section 824m of the statutes, relating to docks and harbors in towns."

The bill confers upon town boards situate upon any navigable waterways within or bordering on this state all the powers and duties now conferred and imposed upon dock and harbor boards of cities and villages—which powers among others include the right to acquire lands by condemnation for, and to construct docks, piers, slips, wharves, basins, warehouses, a belt railway and all other necessary structures to handle all manner of water craft for freight and passengers and for free interchange of traffice between the waterway and railways; to have charge and control of all such property and of the harbor, regulate tolls, exercise authority over all water front highways, employ such officers, agents and employes as may be necessary and fix their compensation.

The present law gives the cities and villages the right to issue bonds against the improvements and payable from its revenues.

I doubt very much the constitutionality of the *present* law, but this bill goes still farther and provides in section 2 that for the purpose of raising funds to pay for these improvements the *chairman* of the Harbor Board and the Town Board "Shall have authority and power *to levy taxes* and, *under the name and seal of such town* to issue and dispose of bonds," to the extent of the total amount of indebtedness incurred. Thereby charging directly upon the town the liability for all such indebtedness.

This law is wrong in principle. It grants to such board too great a power to incur municipal indebtedness without proper restrictions by authorizing and empowering such chairman and town board the right to levy taxes. It likewise is contrary to at least two provisions of our State Constitution.

For these reasons I return this bill without my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated at Madison, Wisconsin,
July 30, A. D. 1915.

To the Honorable, the Senate:

I herewith return without my approval bill No. 609, S., entitled "An Act to create section 4549m of the statutes, to prohibit the ap-

pointment or employment of relatives in the state service by officials or employes of the state except when duly certified by the civil service commission, and providing a penalty."

The purpose of this bill insofar as it seeks to prevent nepotism is meritorious, but it goes too far. It not only prohibits the employment of relatives by blood or marriage without first being placed on the eligible list under the rules of the civil service—in the future,—but in express terms prohibits, under penalty of a heavy fine, the continuance in office of those employes who may *now* be and are under contract with the state for service.

This is not only unfair to those who are now employed and who occupy a relationship stated in the bill, but attempts to invalidate existing contracts of employment or service; is retroactive, and extends the civil service law far beyond what was contemplated by the original enactment. The legislature never intended to include certain confidential and responsible positions, but this bill recognizes no exemptions. It is unreasonable.

For these reasons I return the bill without my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated at Madison, Wisconsin, *Governor.*
July 30, A. D. 1915.

To the Honorable, the Senate:

I herewith return without my approval bill No. 644, S.

I have no objection to the contents or purpose of the bill, but its enactment into law becomes unnecessary for the reason that bill No. 791, A., which I have signed, covers everything set forth in this bill and grants all the privileges herein desired. To place this on the statutes would be a duplication and surplusage.

For this reason I return it without my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, August 6, 1915. *Governor.*

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate, and, by and with the advice and consent of the senate, appoint:

Frank Johnson of Darien, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1918.

C. W. Harvey of Beaver Dam, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1917.

G. N. Mihills of Fond du Lac, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1917.

B. F. Wilson of Wausau, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1918.

L. I. Roe of Stanley, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1918.

Robert McDowell of Oconto, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1918.

Edward J. Roethe of Fennimore, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday of February, 1919.

William N. Rowe of Sarona, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday of February, 1919.

Thomas Saxe of Milwaukee, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday of February, 1919.

R. J. White of Milwaukee, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday of February, 1919.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, August 11, 1915. *Governor.*

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

George P. Hambrecht of Grand Rapids, Wisconsin, to be a member of the Industrial Commission of Wisconsin, for the term ending June 30, 1921.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, August 12, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

B. N. Moran of Rhinelander, Wisconsin, to be State Supervisor of Inspectors of Illuminating Oils, for the term ending on April 1st, 1917.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, August 12, 1915. *Governor.*

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

John M. Whitehead of Janesville, Wisconsin, to be a member of the State Board of Public Affairs for the term ending August 1st, 1916.

George B. Hudnall of Superior, Wisconsin, to be a member of the State Board of Public Affairs for the term ending August 1st, 1916.

W. H. Hatton of New London, Wisconsin, to be a member of the State Board of Public Affairs for the term ending August 1st, 1916.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, August 12, 1915. *Governor.*

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

H. L. Griswold of West Salem, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending the first Monday in February, 1917.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, August 12, 1915. *Governor.*

To the Honorable, the Assembly:

I return herewith bill No. 292, A., without my approval.

The bill provides for the printing and distribution of forty-five thousand copies of the "Wisconsin Blue Book" biennially. The Blue Book which is being distributed at this time is costing the

state sixty cents per copy. The number authorized for distribution by this bill, if the same can be obtained at the same cost that the state is now paying for the books that are being distributed this year, will be twenty-seven thousand dollars.

The bill provides for a liberal distribution to all schools and public institutions, which I believe to be proper. It provides further that each member of the legislature shall be given two hundred and fifty copies. Inasmuch as a liberal distribution is provided by law to be made by the state it does not seem necessary that each member of the legislature be given such a large number. In fact, I am certain that it will be difficult for the members to distribute so many. Illinois distributes thirty thousand copies; Michigan thirty-two thousand copies; Minnesota twenty thousand copies; Iowa not to exceed nineteen thousand copies.

I recommend that the allowance to each member of the legislature be reduced to one hundred. In doing this we can save the state about twelve thousand dollars. It is my judgment that twenty-five thousand copies is a liberal distribution of this book and that we can make this saving without a loss or inconvenience to any one.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, August 12, 1915.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Lewis G. Kellogg of Ripon, Wisconsin, to be a member of the State Civil Service Commission, for the term ending June 21st, 1921.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, August 13, 1915.

To the Honorable, the Legislature:

There is a bill pending in the senate which authorizes the governor, secretary of state and the state treasurer to advance a sufficient sum of money to any department or institution of the state to meet an emergency or temporary deficit upon the proper

showing that the funds asked for are actually required and that the department or institution has not sufficient funds to meet such emergency.

I requested that this bill be introduced and now urge upon you that the same be passed before the adjournment of the legislature. It is being represented that this bill is being urged by this administration because of the fact that too large reductions have been made in the appropriations to the various departments and institutions. Such statements are pure fabrications for political purposes, answer here because the reason for such provision is so plain that we may dismiss such criticism as inspired by politics.

In government as in private business emergencies arise that no one can foresee, and that require prompt action upon the part of the state. I call attention to our recent experience with the hoof and mouth disease among cattle. It required a large sum of money to establish a successful quarantine. If the state had not been successful in confining the disease within the certain limit in which it existed, the cost of fighting it might have been a much larger sum. The agricultural bureau has no appropriation for this purpose and would be without funds to combat the disease if it should re-occur.

The state is responsible for the obligation incurred in conducting a state fair. At the beginning of my administration I found unpaid bills growing out of the state fair, amounting to $31,000. These unpaid bills were of long standing and were due to small shop-keepers and dealers for hay, straw, oats and other materials, and should have been paid promptly. The financial results of a state fair, at best, are dependent upon the weather, therefore no one can assure financial success. The great state of Wisconsin, with millions in its treasury, should be in a position to pay its legitimate debts, at least, as promptly as the business man is expected to pay his, and should not take advantage of its creditors by postponing payment for an indefinite period simply because this state cannot be sued as any other creditor would be under similar circumstances.

I call attention to another illustration. The state prison at Waupun was unable to pay its employes for nearly three months because its appropriation for that purpose had been exhausted. The board of control had sufficient money, but not enough had been appropriated for this particular purpose of paying salaries in that institution, hence the shortage in this department and employes

had to wait three months for their pay, a thing which would not occur in any well regulated business.

The management of the University insists that the reductions made in the operating expense of upwards of $150,000 per year is too much, and that the amount available might not be large enough to carry on its instructional work as completely as is desired. The reductions made in that appropriation were very carefully considered and I feel confident that with co-operation of the University management the cut will cause the institution no inconvenience. The amount in question, as compared with the entire appropriation for the University is small, and if experience will prove that the reduction which has been made leaves a sum that is not sufficient, then the required amount should be available, and it would seem that it should be perfectly safe to make this provision because the additional sum demanded would be scrutinized first by the board of regents, second by the state board of education, and finally by the governor, secretary of state and state treasurer, and it would seem that any expenditure of public money that requires the approval of so many people is perfectly safe and that no waste could possibly occur.

No one can estimate the needs of a large institution down to the last dollar, and yet it would be inadvisable to make the appropriations for each one of them sufficiently large to "play safe" because that would encourage extravagance; and inasmuch as unusual emergencies are not likely to happen in all institutions, one fund to be applied in any direction that may be necessary, is sufficient.

The arrangement suggested is correct in principle and I trust will have the support of the legislature. The misstatements made regarding it are pure fabrications for political purposes and will in the end be a small deposit in any political bank; and I trust will have no influence in the legislature.

As the session is drawing to a close I wish to express my appreciation of the work of the legislature. The session has been long. However, those who would criticise that part should bear in mind that you have handled a great many important subjects which required deliberation and consumed time. You would have profited financially had you given these subjects less consideration. You are, therefore, to be praised for your willingness to prolong the session in order to enact wiser laws and thereby render the public a better service. The additional cost to the state because of the fact that the session was prolonged has been repaid many times;

in fact, I am convinced that this session has been very profitable to the people of the state, and you deserve the gratitude of the state for your patience and for the personal sacrifices which you have made during the time that you have been here.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, August 14, 1915.

To the Honorable, the Assembly:

I return herewith bill No. 400, A., without my approval.

This bill seeks to amend the Corrupt Practices Act by broadening its scope and bringing under its provisions every person or the directing secretary or directing officer or representative, if there be no secretary, of any committee or organization, however organized, engaged in any political activity, for or against any candidate for office or for or against any measure to be voted on at any election or advocated in any party platform.

The provisions of this bill, if enacted into law, would compel any person or organization coming within the above description to report any expenditure of money in a like manner as the law now compels to be reported by any candidate or political committee.

The spirit and purpose of the so-called Corrupt Practice Act is to secure honest elections, prevent bribery, coercion, or any of those things which may be accomplished by a corrupt use of money, and to prevent candidates of large means from obtaining advantages over candidates of less means. The reports required from candidates and their committees must show (1) where the money is derived from and (2) what it is expended for—these reports being public records in order that the proper officers of the state and the general public may know whether or not the candidate and his committees, whether party or personal, have complied with the law. Any further restriction that may be placed around the privilege of advocating political principles are in my judgment an offensive interference with the exercise of the people's rights as guaranteed by the constitution.

If this bill were enacted into law every person or organization of any kind or nature, which would include labor unions, church societies, civic societies and women's clubs, that may be interested in some public question, and hire a hall for the purpose of holding a meeting or employing a speaker or which may employ a secretary

for the purpose of carrying on correspondence or cause a circular to be printed and circulated or do anything that calls for an expenditure of money, must report all expenditures in accordance with the provisions of the Corrupt Practice Act and any failure on their part to do so would subject them to a fine or imprisonment.

I believe that the free discussion of public questions by the people is not only a constitutional right that should not be abridged by statutes of this kind, but it should be the policy of the state to encourage it in order that the affairs of our government be better understood by the people and that the will of the people may have a greater influence upon those whom they have chosen to represent them in the government.

The restrictions provided in this bill, if enacted into law, would have a tendency to cause people to relax in those public efforts that are sometimes necessary to purify government. No propaganda, however high minded its motives may be, can be successfully carried on without the use of money. If every donor to the cause of the people must go through a form which would imply that he was doing something corrupt and which might make him the personal subject of partisan attack, men will prefer to bear the abuses of government in silence rather than take the public abuse for rendering such assistance as is necessary to correct the evils of government.

Section 3 of article I of our state constitution provides:

"Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right, and no laws shall be passed to restrain or abridge the liberty of speech, or of the press."

Section 4 guarantees to the people "The right to peaceably assemble, to consult for the common good, and to petition the government, or any department thereof, and this right shall never be abridged."

It was clearly the intention of the framers of the constitution that these rights should not be circumscribed by any future legislative act, and I believe it to be reasonable to assume that it was not the intention that any necessary expenditure growing out of the exercise of this right by the people should be subject to review by any officer of the state, or that any penalty should be enforced against any person who may fail or neglect to report any such expenditure, as this bill provides.

The bill raises the further question, whether if enacted into law it would not be an attempted interference with the freedom of

the press. It is difficult to understand just how the press can exercise any right under the constitution that cannot be exercised by an individual as well. It is part of the functions of a newspaper or periodical to discuss public questions, to advocate certain principles of government and to promote the interest of candidates, and so far no legislature has sought to compel any newspaper publishers to report the amount of money expended by them in the advocacy of public questions or candidates for office. And yet the privilege which this bill attempts to circumscribe, insofar as the public is concerned, is precisely the same privilege that is being exercised by the press. I hold the view that only public good can come from a free and unhampered discussion of public questions. I believe it to be a right that is fully guaranteed to the American people by our constitution and any attempted statutory interference with constitutional guarantees should be stoutly resisted by the people.

The limit that has been placed by law upon the expenditures of candidates and political committees, organized for the purpose of promoting their interests, is quite a different matter because it seeks to prevent the election of public officers by corrupt means and to limit the use of money in election.

I return this bill to you without my signature because I believe it to be unconstitutional as well as against sound public policy.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated, August 18, 1915.

To the Honorable, the Assembly:

I return herewith Bill 52, A., without my approval.

The bill attempts to create a marketing department by appointing the Dairy and Food Commissioner and two employes of his department and constituting them a commission to carry out the provisions of this bill. It directs that it shall be the duty of the commission to co-operate with and advise consumers and producers in devising an economical and efficient system of marketing and storage, to render efficient and sanitary all existing markets throughout the state; to examine the market facilities of the different cities and municipalities throughout the state upon application of twenty-five business men thereof or twenty-five freeholders; to give counsel and advice to petitioners in establishing markets

in such a way as to render profitable relationship between the residents of the surrounding country and the residents of the city to the end that the interests of the consumers and purchasers shall be served; to make and publish a list of individuals who desire to purchase farm products and dairy products direct from farmers; to standardize all products as to quality, size of package and quantity; to obtain from labor unions in cities the names of laborers who are in good standing in such unions and whose financial standing is good and can be vouched for by the officers of the unions; to make a statement of the financial standing of proposed customers and to furnish every applicant a printed list of all prospective buyers of farm produce, together with the financial standing of such prospective buyers and many other duties.

For all this there is appropriated in the bill three thousand dollars per year. It requires no argument to support the statement that the amount appropriated is not sufficient to carry out the provisions of this bill; in fact I cannot convince myself that the legislature seriously intended that this bill should become a law. If it were seriously intended to create a commission equipped to carry out the provisions of the bill, an annual appropriation of at least one hundred thousand dollars would be necessary.

The project of bringing the producer and consumer together, of ascertaining the financial responsibility of the consumer, and the further duty of standardizing the farm and dairy products of the state is a large undertaking and the appropriation which is made in this bill is not sufficient to pay for the stationery and printing that would be required. I shall not place this burden upon the Dairy and Food Commissioner without sufficient funds to carry it out.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, August 20, 1915.

To the Honorable, the Assembly:

I herewith return Bill No. 347, A., without my approval.

My reason for returning the bill is that it would allow any firm or corporation to install plumbing without having a master plumber in charge. This I regard as a serious oversight and one that I cannot permit to pass out of regard for public health which it is the very object of the plumbing law to protect.

Both this bill and the existing law recognizes two classes of licensed plumber. This bill distinguishes between journeymen plumbers who pay an initial license fee of two dollars and one dollar per year thereafter, and master plumbers who pay an initial license fee of fifty dollars and fifteen dollars a year thereafter, and provides for separate examination as to qualifications. A journeyman plumber has become generally recognized as one who has a certain mechanical skill in the operations of the trade, whereas a master plumber is one who can plan and install plumbing according to sanitary requirements and in accordance with the laws, rules and regulations governing the same. The present bill, after recognizing this distinction, and providing for such widely different fees and examinations, provides that any person, firm or corporation desiring to engage in or work at the business of plumbing "shall be required at all times to have a licensed plumber in charge." Now, inasmuch as either a journeyman or a master plumber is licensed, this bill would allow an inferior workman who may not have any knowledge of sanitary requirements to be in sole charge of work, and the master plumber who at present has such responsibility is virtually legislated out of existence. I submit that it is inconsistent to create the distinction of master plumber, by law, and arrange for a high license fee and stricter examination to the end that he may be supervisor of work, and then make no requirement that a master plumber shall be engaged in supervision. Not only this, but the present bill, if it became a law, would give an opening for any traveling plumber who could take a journeyman's examination and pay two dollars to install plumbing and then pass on to some other locality. This would not only be unfair to the skilled workmen of our own state but would be a detriment to public health. Furthermore, the regulations provided in this bill are in conflict with plumbing ordinances in our cities which will cause confusion.

For the above reasons I return this bill without my approval.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated at Madison, Wisconsin,
August 24, A. D. 1915.

EXECUTIVE DEPARTMENT,
State of Wisconsin.

To the Honorable, the Assembly:

I return herewith without my approval bill No. 811, A.

It repeals subsections 2, 3 and 4 of section 1042j of the statutes and amends subsection 1, relating to the taxation of mineral rights.

This bill was passed, apparently, for the purpose of overcoming the objections raised by the supreme court in a recent case, in which this whole mineral taxation law was declared to be unconstitutional. It is an attempt on the part of certain interested persons or organizations to escape, for the time being—until again tested by the court—the effect of the decision referred to, in the hope that it may become a law with the chance that no one will see fit to contest it.

While the bill itself excludes much of the objectionable matter in the old statute yet it does not overcome the objections to the law itself, as pointed out in the opinion of the court. How can an unknown value be assessed when there is nothing tangible by which such value can be determined? As stated by the court: "The existence or value of ores or minerals beneath the surface, undisclosed, can only be ascertained by drilling and testing the land." The proposed act makes no such exception or provision as a rule for assessment. It must, therefore, be fixed by a mere conjecture or opinion of the assessing officer unguided by any fact which can be known to him or any other person.

With so recent a declaration of our highest court, with whom rests the exclusive function of the interpretation of our laws I do not deem it wise or advisable to sanction, by approval of this bill, an act designed to circumvent this decision and thus lessen the dignity and respect which all should accord this judicial tribunal.

Furthermore, this bill is in direct conflict with a law passed by the legislature and known as chapter 388, which makes provision for an added valuation to lands containing zinc and lead ore to the extent of a percentage of the value of such ores removed from the mine and sold for commercial purposes.

I therefore return the bill without my approval.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, August 20, 1915.

To the Honorable, the Senate:

I return herewith bill No. 584, S. without my approval.

Under the provisions of this bill, the Wisconsin Industrial School for Girls, located at Milwaukee, would be placed under the jurisdiction of the state board of control. This institution has been under the control of a voluntary board of lady managers since its beginning. It was started forty years ago as a home for dependent children and was later converted to its present use. The management has been economical and efficient and I am of the opinion that the board of control would not be able to duplicate the service that these ladies are now unselfishly giving to this institution.

The appropriation made for the operation of this institution for this biennium does not make any money available for the payment of the management that this bill provides. If it is to be the future policy of the state to give to the management of this institution to the board of control, then a sufficient appropriation must be made for that purpose. If it were attempted now the additional cost must be taken from the moneys set aside for operation which would mean so much less money to be used for the benefit of the inmates. If the legislature intended to make the change that this bill provides, it should have provided the necessary funds to put the provisions of this bill into effect. I veto this bill for the reasons that I have above stated.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, Madison, Wisconsin,
August 24, A. D. 1915.

Extraordinary Session Began October 10, 1916; Ended October 11, 1916.

CALL FOR SPECIAL SESSION OCTOBER 10, 1916.

In the month of June the President of the United States called for troops to restore order in Mexico and protect the Americans living on that frontier. In response to that call, four thousand Wisconsin guardsmen enlisted in the federal service and nearly all of them are now in the United States Army, stationed in or near San Antonio, Texas. No definite information is obtainable as to the length of time their services will be required. As far as present indications may mean anything, it seems certain that they will not be mustered out for several months.

The men of our guard who responded to the call of the President are citizens of our state and nearly all voters. I am informed by their commanding officers that they ask for the privilege of casting their ballot at the general election in November. Every patriotic citizen desires to exercise that right on election day and it is a privilege that should be accorded to all qualified citizens, and especially to those patriotic men who responded to the call of the President for defenders of our country at a time when there was reason to believe that the situation in Mexico was serious and that the protection of American lives, as well as the dictates of humanity, required the presence of the American soldier in that territory.

The right of giving the soldier the privilege to cast his ballot on the field, while in the service of the United States Army, is not a new one. It was given the soldier who served in the Union Army during the Civil War. The statute under which this right was exercised was, however, repealed by a subsequent legislature.

I believe the rights of our soldiers should at all times be respected and that the matter above referred to is of sufficient importance to justify a special session of the legislature.

Therefore, by virtue of the authority vested in me by the Constitution, I, Emanuel L. Philipp, Governor of Wisconsin, do hereby convene the legislature of this state in special session at the capitol, in the city of Madison, on Tuesday, October 10, 1916, at two o'clock in the afternoon, for the purpose of enacting such legislation as will permit citizens of the state of Wisconsin who are in the service of the United States Army, as well as others who are unable to cast their ballot because of absence from home, the right

of their elective franchise. And the votes thus cast shall be counted as if the same had been cast in the election districts in which they reside.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the Great Seal of the State of Wisconsin (Seal) to be affixed. Done at the Capitol in the city of Madison this third day of October, A. D. 1916.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
JOHN S. DONALD,
Secretary of State.

Gentlemen of Senate and Assembly:

I have called you to meet in special session to enact such legislation as may be found necessary to enable Wisconsin soldiers, who are serving in the United States Army on the Mexican frontier, to cast their ballot on election day.

The right to exercise the elective franchise is guaranteed to every qualified citizen, and no one, therefore, should be denied this right because of the lack of the necessary machinery of the law to make it possible to exercise it. Our soldier boys who are serving our country on the Mexican frontier are entitled to our special consideration. In responding to the call of the President, and by their faithful service in the field they have proven themselves to be patriotic men who are entitled to every right of a citizen.

I, therefore, urge you to promptly enact such legislation as will enable them to cast their ballot wherever they may be located on election day and have the same counted in the respective election districts where they reside.

I desire to call your further attention to the law passed during the session of 1915, giving to citizens who are absent from their homes the right to cast their ballot by mail. Under the provisions of that statute it is necessary for the prospective voter to make personal application to the county, city, village or town clerk, as the case may be, for the ballot. It has been found that this provision makes the law inoperative in many cases, and therefore of little value. In order to extend the privilege of voting to a greater number of citizens, especially students and travelers, I recommend that the law be amended so, that personal application

will not be necessary and that application by mail will be sufficient. This can be done without in any measure, interfering with the safety of the ballot and will be a favor to many voters who find it impossible to go to a county seat or to their place of residence to make the application that the law now requires.

EMANUEL L. PHILIPP.

October 10, 1916. *Governor.*

EXECUTIVE COMMUNICATIONS.

To the Honorable, the Assembly:

The following bills, originating in the assembly, have been approved, signed and deposited in the office of the Secretary of State:

No. 2,

An Act to create sections 11.69 to 11.82, inclusive, of the statutes, to permit electors absent on account of military service, to vote at general and certain special elections.

Approved, October 11.

No. 1,

An Act to amend subsection (5) of section 5.11, relating to the time for printing the September primary ballot; subsections (1), (3), and (4) of section 5.25, relating to the time for holding primaries for special elections, the time for filing nomination papers therefor, and to the time within which the secretary of state shall certify names to county clerks therefor; subsection (6) of section 5.26, relating to the time for filing independent nomination papers; section 5.27, relating to the time for holding town and village caucuses and for filing nomination papers in towns and villages; subsections (1) and (6) of section 6.19, relating to the time within which the secretary of state shall certify to county clerks names of nominees for November elections and transmit copies of proposed constitutional amendments; subsection (2) of section 7.04, relating to the time for holding special elections; and sections 11.54, 11.55, 11.56 and 11.57 of the statutes, relating to voting by mail.

Approved, October 11.

Dated at Madison, Wisconsin,
October 11, A. D. 1916.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

COMMUTATIONS OF SENTENCE FROM THE WISCONSIN STATE REFORMATORY

Bayles Owen—Convicted before the municipal court of Dane county, on the sixth day of May, 1916, of the crime of burglary in the night-time and sentenced to the state reformatory at Green Bay for the term of one year. On August 10, 1916, sentence was commuted to six months because of his youth and inexperience and his previous good character, and the further fact that his family bear an excellent reputation.

Carol Standiford—Convicted before the circuit court for Vernon county on the sixteenth day of March, 1916, of the crime of aiding in concealing stolen property and sentenced to the state reformatory at Green Bay for the term of one year. On August 11, 1916, sentence was commuted to six months in order that it might be possible for him to enter school in the fall and for the further reason that this was his first offense and his mother is partly dependent upon him for support.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

December 31, 1916.

To the Honorable, the Legislature:

I have the honor to submit the following report of conditional pardons, pardons and commutations of sentence granted during the term beginning the first Monday in January, 1915, and ending on the first Monday in January, 1917, together with the reasons which controlled executive action, as required by section 6, article V, of the constitution of the state of Wisconsin.

PARDONS TO RESTORE RIGHTS OF CITIZENSHIP AFTER EXPIRATION OF SENTENCE

Harvey Gustavus—Convicted before the circuit court of Winnebago county, on the twentieth day of September, 1909, of the crime of assault, regardless of life, and sentenced to the state prison at Waupun for the term of seven years. Pardon granted restoring rights of citizenship, January 6, 1915.

George Smithers—Convicted before the municipal court for Dane county, on the seventeenth day of July, 1890, of the crime of adultery and sentenced to state prison at Waupun for the term

of one year; and convicted before the municipal court for Dane county, on the thirteenth day of November, 1903, of the crime of assault with intent to kill, being armed, and sentenced to state prison at Waupun for the term of five years. Pardon granted restoring rights of citizenship January, 1915.

John Hubert—Convicted before the circuit court for Fond du Lac county on the seventh day of May, 1912, of the crime of adultery and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship January 25, 1915.

Daniel Buceleisen—Convicted before the county court for La Crosse county, on the seventeenth day of September, 1908, of the crime of obtaining money under false pretenses and sentenced to state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship February 24, 1915.

Joseph R. Davis—Convicted before the municipal court for Milwaukee county, on the twenty-seventh day of January, 1912, of the crime of adultery and sentenced to state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship March 1, 1915.

Clyde Schult—Convicted before the circuit court for Rusk county, on the ninth day of March, 1912, of the crime of adultery and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship March 8, 1915.

George Angenendt—Convicted before the municipal court for Kenosha county, on the fifth day of September, 1911, of the crime of assault and battery and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 8, 1915.

John Fiscus—Convicted before the municipal court for Dane county, on the nineteenth day of June, 1911, of the crime of burglary and sentenced to the state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship March 20, 1915.

Edwin C. Story—Convicted before the municipal court for Dane county, on the third day of December, 1908, of the crime of violation of banking laws and sentenced to state prison at Waupun for the term of five years. Pardon granted restoring rights of citizenship March 20, 1915.

John Rogers—Convicted before the municipal court for Outa-

gamie county, on the twenty-fifth day of November, 1912, of the crime of larceny from the person and sentenced to state reformatory at Green Bay for the term of one and one-half years. Pardon granted restoring rights of citizenship March 31, 1915.

Philip Mielke—Convicted before the circuit court for Forest county, on the twenty-second day of April, 1913, of the crime of adultery and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship April 6, 1915.

Henry Day—Convicted before the circuit court for Marathon county, on the eighth day of March, 1902, of the crime of incest and sentenced to state prison at Waupun for the term of six years. Pardon granted restoring rights of citizenship April 15, 1915.

Theodore Murchie—Convicted before the municipal court for Outagamie county, on the twenty-fifth day of November, 1912, of the crime of receiving stolen property and sentenced to state prison at Waupun for the term of one and one-half years. Pardon granted restoring rights of citizenship April 15, 1915.

John S. Erd—Convicted before the municipal court for Dane county, on the thirteenth day of July, 1912, of the crime of adultery and sentenced to state prison at Waupun for the term of one and one-half years. Pardon granted restoring rights of citizenship April 23, 1915.

Richard Early—Convicted before the circuit court for St. Croix county, on the twenty-seventh day of March, 1912, of the crime of rape and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship April 30, 1915.

Robert Cartwright—Convicted before the county court for Washburn county, on the nineteenth day of February, 1913, of the crime of abduction under section 4387a and sentenced to state prison at Waupun for the term of four months. Pardon granted restoring rights of citizenship May 5, 1915.

A. R. Law—Convicted before the circuit court for Dane county, on the twenty-fifth day of September, 1912, of the crime of manslaughter in the second degree and sentenced to state prison at Waupun for the term of six years. Pardon granted restoring rights of citizenship June 10, 1915. Right to practice medicine and surgery restored January 13, 1916.

Clarence Thornburg—Convicted before the circuit court for

Fond du Lac county, on the twenty-fourth day of May, 1913, of the crime of adultery and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship June 10, 1915.

James Clark Nagle—Convicted before the circuit court for Oneida county, on the thirteenth day of December, 1906, of the crime of adultery and sentenced to state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship July 2, 1915.

William A. Kaphen—Convicted before the municipal court for Dane county, on the thirtieth day of August, 1910, of the crime of forgery and sentenced to state reformatory at Green Bay for the term of five years. Pardon granted restoring rights of citizenship October 5, 1915.

Otha Johnson—Convicted before the circuit court for Richland county, on the twenty-second day of April, 1908, of the crime of larceny from the person and sentenced to state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship November 9, 1915.

Charles Gillotte—Convicted before the circuit court for Kenosha county, on the twenty-first day of October, 1908, of the crime of highway robbery and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship November 9, 1915.

John E. Smith—Convicted before the circuit court for Forest county, on the twenty-seventh day of October, 1911, of the crime of assault with intent to do great bodily harm and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship November 29, 1915.

Milton Patten—Convicted before the circuit court for Richland county, on the twenty-third day of April, 1900, of the crime of seduction and sentenced to state reformatory at Green Bay for the term of two years. Pardon granted restoring rights of citizenship January 17, 1916.

George T. Meehan—Convicted before the circuit court for Florence county, on the second day of October, 1901, of the crime of robbery and sentenced to state reformatory at Green Bay for the term of five years. Pardon granted restoring rights of citizenship February 11, 1916.

Albert Howell—Convicted before the circuit court for Florence

county, on the twenty-second day of August, 1908, of the crime of larceny from the person and sentenced to the state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship February 25, 1916.

Joseph Bauer—Convicted before the municipal court for Rock county, on the eleventh day of September, 1907, of the crime of making an assault and larceny from the person, and sentenced to state prison at Waupun for the term of fifteen months. Pardon granted restoring rights of citizenship March 2, 1916.

E. A. Blumm—Convicted before the municipal court for Rock county, on the twenty-third day of September, 1908, of the crime of assault with intent to commit rape and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship March 7, 1916.

Henry Fort—Convicted before the district court for La Crosse county, on the third day of March, 1904, of the crime of robbery and sentenced to state prison at Waupun for the term of one and one-half years. Pardon granted restoring rights of citizenship March 8, 1916.

Frank Shaha, Jr.—Convicted before the municipal court for Brown county, on the third day of December, 1913, of the crime of abandonment and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 21, 1916.

John Considine—Convicted before the circuit court for Grant county, on the seventh day of September, 1911, of the crime of robbery and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 18, 1912.

William Hughes—Convicted before the circuit court for Douglas county, on the fifth day of December, 1899, of the crime of murder in the first degree and sentenced to state prison at Waupun for the term of his natural life. On December 23, 1913, sentence was commuted to a term of twenty-eight years and on March 5, 1915, a final discharge was granted. Pardon granted restoring rights of citizenship March 21, 1916.

Mike Kosmatka—Convicted before the county court for Portage county, on the twenty-ninth day of April, 1906, of the crime of larceny and sentenced to state prison at Waupun for the term of

eleven months. Pardon granted restoring rights of citizenship April 3, 1916.

George D. Foss—Convicted before municipal court for Dane county, on the seventeenth day of February, 1913, of the crime of abandonment and sentenced to state prison at Waupun for the term of eighteen months. Pardon granted restoring rights of citizenship April 3, 1916.

E. C. Alton—Convicted before the circuit court for Monroe county, on the fifth day of March, 1912, of the crime of forgery and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship April 11, 1916.

Ernest Jerome—Convicted before the circuit court for Monroe county, on the twenty-ninth day of April, 1911, of the crime of adultery and sentenced to state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship May 2, 1916.

James Sweeney—Convicted before the circuit court for Fond du Lac county, on the twenty-fourth day of October, 1910, of the crime of larceny from the person and sentenced to state prison at Waupun for the term of two years. Sentence was suspended and the defendant placed on probation. Probation violated February 22, 1912, and defendant was sent to prison. Pardon granted restoring rights of citizenship May 5, 1916.

Andrew R. Johnson—Convicted before the circuit court for Waukesha county, on the eleventh day of August, 1910, of the crime of burglary and sentenced to state prison at Waupun for the term of five years. Pardon granted restoring rights of citizenship June 13, 1916.

James Elkey—Convicted before the circuit court for Outagamie county, on the twenty-eighth day of April, 1884, of the crime of larceny and sentenced to state prison at Waupun for the term of nine months. Pardon granted restoring rights of citizenship June 13, 1916.

Charles Schiewitz—Convicted before the municipal court for Milwaukee county, on the twenty-fourth day of November, 1913, of the crime of keeping house of ill-fame and keeping premises for unlawful purposes, and sentenced to Milwaukee county house of correction for the term of six months, or pay a fine of two

hundred and fifty dollars. Pardon granted restoring rights of citizenship June 28, 1916.

Joe Obry—Convicted before municipal court for Milwaukee county, on the seventh day of September, 1909, of the crime of indecency and sentenced to Milwaukee county house of correction for the term of two years. Pardon granted restoring rights of citizenship July 6, 1916.

M. B. Magaurn—Convicted before the circuit court for Florence county, on the twenty-fifth day of May, 1916, of the crime of assault and battery with intent to do great bodily harm, and sentenced to pay a fine of two hundred dollars and costs. Pardon granted restoring rights of citizenship August 2, 1916.

Nick Schommer—Convicted before the Superior court for Douglas county, on the eleventh day of October, 1910, of the crime of assault with intent to kill and sentenced to state prison at Waupun for the term of five years. Pardon granted restoring rights of citizenship August 21, 1916.

Fred K. Semisch—Convicted before the circuit court for Eau Claire county, on the twenty-eighth day of September, 1910, of the crime of arson and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship September 1, 1916.

Joseph A. Rank—Convicted before the municipal court for Manitowoc county, on the twelfth day of June, 1913, of the crime of embezzlement, and sentenced to state prison at Waupun for the term of twenty months. Pardon granted restoring rights of citizenship September 1, 1916.

Frank T. Wagner—Convicted before the circuit court for Dane county, on the thirty-first day of July, 1911, of the crime of perjury, and sentenced to state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship September 1, 1916.

O. N. Rowley—Convicted before the municipal court for Dane county, on the first day of April, 1912, of the crime of adultery, and sentenced to state prison at Waupun for the term of two years and six months. Pardon granted restoring rights of citizenship September 12, 1916.

John Park Baker—Convicted before the municipal court for Marathon county, on the nineteenth day of July, 1909, of the crime of forgery, and sentenced to state prison at Waupun for

the term of three years. Pardon granted restoring rights of citizenship September 19, 1916.

Robert Zimmerman—Convicted before the circuit court for Lincoln county, on the seventeenth day of November, 1909, of the crime of setting a gun, and sentenced to state prison at Waupun for the term of five years. Pardon granted restoring rights of citizenship October 13, 1916.

George Pappas—Convicted before the circuit court for Lincoln county, on the twelfth day of April, 1912, of the crime of pandering, and sentenced to state prison at Waupun for the term of four years. Pardon granted restoring rights of citizenship October 13, 1916.

Clarence Titus—Convicted before the municipal court for Dane county, on the seventh day of October, 1914, of the crime of grand larceny, and sentenced to state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship November 3, 1916

Mary Haffner—Convicted before the municipal court for Milwaukee county, on the thirteenth day of November, 1915, of the crime of keeping a house of ill-fame, and sentenced to pay a fine of three hundred dollars and costs. Pardon granted restoring rights of citizenship November 26, 1916.

John Haffner—Convicted before the municipal court for Milwaukee county, on the thirteenth day of November, 1915, of the crime of keeping a house of ill-fame, and sentenced to pay a fine of two hundred dollars and costs. Pardon granted restoring rights of citizenship November 26, 1916.

ABSOLUTE PARDONS FROM THE STATE PRISON AT WAUPUN

Fred Behnke—Convicted before the municipal court for Dane county, on the seventh day of October, 1914, of the crime of larceny and sentenced to the Wisconsin state prison at Waupun for the term of one year. Upon the representation that the family was in great need and needed the support of Behnke absolute pardon was granted to take effect March 6, 1915.

John F. Polley—Convicted before the municipal court for Outagamie county, on the twenty-first day of October, 1912, of the crime of embezzlement and sentenced to the state prison at Waupun for the term of four years. Polley was paroled August 8, 1914. The restrictions of his parole made it impossible for him to hold

his position. He was desirous of making restitution to the parties from whom he had embezzled funds. The pardon application was endorsed and favored by the parties from whom he embezzled. Pardon was granted June 24, 1915.

A. M. Baker—Convicted before the municipal court for Green county, on the seventh day of October, 1914, of the crime of adultery and sentenced to the state prison at Waupun for the term of one year. It was represented that he had been sufficiently punished and that a pardon would allow him to provide for those that were dependent upon him. Therefore the pardon was granted July 2, 1915.

Burt McLain—Convicted before the circuit court for Forest county, on the twenty-sixth day of September, 1912, of the crime of rape and sentenced to the state prison at Waupun for the term of thirteen years. From the testimony it appeared that the defendant was a victim of circumstances and that there was a grave doubt as to his guilt. The penalty was excessive. His record while in prison was good. Absolute pardon was granted July 15, 1915.

George Johnson—Convicted before the circuit court for Lincoln county, on the twenty-third day of April, 1912, of the crime of forgery and sentenced to the state prison at Waupun for the term of three years. Johnson was paroled October 25, 1914. Upon a petition signed by prominent business men application for pardon was filed by Ralph E. Smith. Representation was made that the sentence was excessive, that he had been sufficiently punished and that he had conducted himself in an excellent manner while in prison. Absolute pardon was granted July 25, 1915.

Alex Greves—Convicted before the circuit court for Milwaukee county, on the third day of November, 1913, of the crime of rape and sentenced to state prison at Waupun for the term of ten years. Testimony at the pardon hearing showed there was a grave doubt as to his guilt upon the charge of rape, it appearing probable that the offense of which he was guilty was adultery and that he had been sufficiently punished for this latter offense. Absolute pardon was granted August 12, 1915.

Hattie Olson—Convicted before the municipal court for Dane county, on the second day of June, 1915, of the crime of fornication and sentenced to state prison at Waupun for the term of one year. Upon the representation that a home would be given to

her and that she had been sufficiently punished for the offense committed absolute pardon was granted October 14, 1915.

Harry W. Hines—Convicted before the county court for Dunn county, on the sixth day of July, 1915, of the crime of embezzlement and sentenced to the Wisconsin state prison for the term of one year. The judge and the district attorney recommended executive clemency. The prisoner's health was very poor and it was feared he would become a physical wreck if not released. The money that was embezzled was used to pay debts and support himself and family. For the reasons given an absolute pardon was granted November 11, 1915.

John Mullin—Convicted before the municipal court for Rock county, on the twelfth day of October, 1914, of the crime of forgery and sentenced to state prison at Waupun for the term of three years. Pardon application was made by John L. Fisher of Janesville. The judge who presided at the trial recommended a pardon. The sentence being excessive for the crime committed. Absolute pardon was granted December 10, 1915.

Augusta Schultz—Convicted before the circuit court for Sauk county, on the twenty-sixth day of September, 1913, of the crime of adultery and sentenced to the state prison at Waupun for the term of three years. Sentence was suspended and she was placed on probation. She was discharged from probation December 14, 1915. Because of her exemplary conduct while on probation and for the reason that she had been discharged by the board of control this pardon application was granted on February 1, 1916, in order that she might be restored to citizenship.

Agnes Penkosky—Convicted before the circuit court for Marinette county, on the eighteenth day of September, 1915, of the crime of adultery and sentenced to the state prison at Waupun for the term of one year. The board of control favored the granting of a pardon for the reason that the woman was pregnant and in order that the child might not be stigmatized by prison birth absolute pardon was granted February 17, 1916.

Nick Salo—Convicted before the circuit court for Ashland county, on the seventeenth day of July, 1915, of the crime of burglary and sentenced to the state prison at Waupun for the term of two years and three months. There appeared to be a grave doubt as to whether or not Salo was guilty of the crime for

which he was sentenced. Absolute pardon was granted April 13. 1916.

Burkhard Bram—Convicted before the circuit court for Green county, on the 20th day of March, 1883, of the crime of murder in the first degree and sentenced to the Wisconsin state prison for the term of life. In 1913 Bram was paroled. There appears to be a question as to whether Bram was entirely to blame for the murder which he committed. The wife of the murdered man seems to have been infatuated with Bram and to have laid the plans for the murder of her husband. Bram was a native of Switzerland and had been in this country but two years and was evidently under the influence of this woman, who was ten years his senior. Both Bram and the woman were sentenced to state prison for life, the woman dying in the prison. It is stated that before her death she made a complete confession, giving what she stated was a true statement of fact. She claimed to have planned the murder in which both Bram and herself participated. The board of control joined in the request for executive clemency. Absolute pardon was granted May 20, 1916.

Ed Yulander—Convicted before the Superior court for Douglas county on the thirtieth day of March, 1916, of the crime of assault with intent to rob and sentenced to Wisconsin state prison for the term of one year. The district attorney requested pardon for this man for the reason that it had been determined that Yulander was innocent of the crime for which he was sentenced. It appears that when brought before the court he was suffering from delirium tremens and did not realize the crime with which he was charged. He plead guilty and it was not until sometime later while confined in the prison that he demanded to know the reason for his imprisonment. Upon being informed as to the crime for which he had been convicted he claimed to be able to prove an albi. The district attorney was informed as to the facts and upon making an investigation satisfied himself that the statements made by Yulander were correct. Absolute pardon was granted July 14, 1916.

Joseph Ladd—Convicted before the municipal court for Marathon county, on the twenty-sixth day of October, 1909, of the crime of burglary and sentenced to the state prison at Waupun for the term of twelve years. The prison physician's report shows that Ladd was suffering from heart and stomach trouble. In order

that he might receive the medical attention and care necessary absolute pardon was granted July 18, 1916.

William H. Kennerd—Convicted before the circuit court for Forest county on the thirteenth day of April, 1916, of the crime of obtaining money under false pretenses and sentenced to the state prison at Waupun for the term of one year. Kennerd had served a prior sentence upon the same charge. The judge when passing sentence stated that he was taking into consideration the several crimes which Kennerd had committed and was giving him a sentence which he believed to be commensurate with the crimes. Upon his release from prison Kennerd was again arrested upon one of the old charges and again sentenced to state prison. Believing that this was imprisonment twice for the same offense absolute pardon was granted August 10, 1916.

Caroline Patzer—Convicted before the circuit court for Waupaca county, on the first day of July, 1913, of the crime of murder in the third degree and sentenced to the state prison at Waupun for the term of nine years. The testimony discloses the fact that Mrs. Patzer, was subjected to the most cruel treatment by her husband. Because of the circumstances surrounding the commission of this crime and because of the physical condition of Mrs. Patzer, and for the further reason that her children will provide her a comfortable home for the balance of her life, and in view of the fact that her record in prison has been perfect, an absolute pardon was granted August 22, 1916.

Robert Cashman—Convicted before the circuit court for Washburn county, on the twelfth day of April, 1915, of the crime of burglary and sentenced to the state prison at Waupun for the term of two years. The parole officer and the board of control recommended a pardon for the reason that the family is sadly in need of support, that a good position has been promised him where he will be able to secure good wages and support the family. Because of the facts stated and for the further reason that his conduct has been exceptionally good, absolute pardon was granted September 9, 1916.

Lester Perham—Convicted before the circuit court for Monroe county, on the third day of June, 1914, of the crime of burglary and sentenced to the state prison at Waupun for the term of three years. His term would have expired December 3, 1916. While on parole he enlisted and was accepted in the National Guard in-

tending to go to the Mexican border. It was necessary to restore his civil rights in order for him to take the federal oath. His record while in prison and likewise while on parole was good. Absolute pardon was granted October 18, 1916.

Alfred Schurig—Convicted before the municipal court for Milwaukee county, on the tenth day of February, 1915, of the crime of forgery and sentenced to the state prison at Waupun for the term of three years. Schurig conducted a correspondence school in the city of Milwaukee. Through misrepresentation and forged papers he succeeded in borrowing sums of money from many poor people. Upon his arrest and conviction he left a wife with a family of children in most destitute circumstances. The wife has struggled to keep the little family together and has made most urgent and piteous appeals for the return of her husband. Schurig's record while in prison has been good. Believing that he has learned his lesson and that he will never again sin against society absolute pardon was granted December 20, 1916.

ABSOLUTE PARDONS FROM THE STATE REFORMATORY AT GREEN BAY.

Jesse Hogue—Convicted before the county court of Trempealeau county, on the twenty-eighth day of January, 1915, of the crime of extortion, and sentenced to the Wisconsin state reformatory at Green Bay for the term of one year. It appears that it was the intention to play a practical joke and that there was no thought or intention of committing a crime. Absolute pardon was granted October 14, 1915.

John Klabbe—Convicted before the municipal court for Milwaukee county, on the fifth day of February, 1915, of the crime of receiving stolen property and sentenced to the state reformatory at Green Bay for the term of one year. He served thirty days in jail before he was sentenced to Green Bay. His parents are very poor and are dependent on him for support, a brother, upon whom the family previously depended, having died on December 19th. Having but one month more to serve an absolute pardon was granted December 22, 1915.

Joseph Young—Convicted before the municipal court for Milwaukee county, on the 26th day of July, 1915, of the crime of larceny of an automobile and sentenced to the state reformatory

at Green Bay for the term of one year. Young is a cripple, having lost both his legs. An absolute pardon was granted February 1, 1916, in order that he might receive proper medical attention.

Russell Bowman—Convicted before the municipal court for Milwaukee county, on the twelfth day of December, 1914, of the crime of assault and theft and sentenced to the state Reformatory at Green Bay for the term of three years. It was represented that the family of Bowman, who lived in Ohio, were most estimable people. The young man was paroled in order that he might go to the home of his mother. While on parole he made application for a pardon in order that he might enlist in the National Guard of Ohio for the purpose of going to the Mexican border. Affidavit of Sergeant W. A. Snow and certificate of Lieutenant J. R. Taylor is on file stating that Bowman joined the National Guard. Absolute pardon was granted June 13, 1916.

J. A. Jenks—Convicted before the municipal court of Chippewa county, on the nineteenth day of February, 1916, of the crime of polygamy and sentenced to the Wisconsin state reformatory for the term of three years. It was stated that Jenks was addicted to the use of drugs which, it is believed, affected his mind. While in prison the drug habit has been corrected. A petition was filed setting forth the fact that Jenks was cook for Company E of the Wisconsin National Guard. When the Eau Claire company was called into the federal service the captain of the company was unable to secure a suitable man to take the position of cook and requested that a pardon be granted to Jenks in order that he might be with the company on the Mexican border. Absolute pardon was granted July 11, 1916.

Mike Bautch—Convicted before the circuit court of Trempealeau county, on the twenty-fourth day of April, 1915, of the crime of burglary, and sentenced to the Wisconsin state reformatory for the term of one year. It was represented that the sentence was excessive for the crime committed and that Bautch had served a sufficient time. It is believed that he will not again commit a similar offense. Absolute pardon was granted December 14, 1916.

William H. Gilman—Convicted before the circuit court for Fond du Lac county, on the nineteenth day of June, 1914, of the crime of burglary and sentenced to the state reformatory at Green Bay for the term of four years. The former employer of Gilman, together with other prominent citizens of Fond du Lac, where Gil-

man resided, recommended executive clemency. Absolute pardon was granted December 7, 1916.

ABSOLUTE PARDONS MILWAUKEE COUNTY HOUSE OF CORRECTION.

Otto A. Borth—Convicted before the municipal court for Milwaukee county, on the eighteenth day of March, 1915, of the crime of embezzlement and sentenced to the Milwaukee county house of correction for the term of one year and six months. At the hearing it was shown that the prisoner had borne a good record and had never been guilty of a previous offense. Borth had no intention of defrauding but had expected to refund the money taken. Upon the promise that Borth return to his parents and refund the money embezzled absolute pardon was granted February 16, 1915.

William Hegebarth—Convicted before the district court for Milwaukee county, on the eighteenth day of March, 1915, of the crime of carrying concealed weapon and sentenced to the Milwaukee county house of correction for the term of ninety days. Family in destitute circumstances, and for the reason that he had been sufficiently punished absolute pardon was granted April 9, 1915.

Otto Dolgner—Convicted before the municipal court for Milwaukee county, on the twenty-ninth day of March, 1911, of the crime of having taken indecent liberties with a female child of the age of six years, and sentenced to the Milwaukee county house of correction for the term of two years. Upon conviction on the above charge Dolgner appealed to the supreme court, furnishing a bail bond. The case was not pushed and the situation was not disclosed until the clerk of the court discovered the bail money to his credit in the bank. Dolgner was arrested and brought into court. It appeared that during this interim he had married and had led an upright and honest life and had the confidence and respect of his employer. For the reasons given an absolute pardon was granted January 4, 1916.

George Schmidt—Convicted before the municipal court for Milwaukee county, on the twelfth day of November, 1914, of the crime of forgery and sentenced to the Milwaukee county house of correction for the term of two years. It appears that Schmidt was in jail four months before sentence was pronounced. No credit was given him for this time. In order that he might have a half credit for this time an absolute pardon was granted June 13, 1916.

George Bergmann—Convicted before the municipal court for Milwaukee county, on the first day of May, 1916, of the crime of taking indecent liberties with a minor and sentenced to Milwaukee county house of correction for the term of ninety days. Absolute pardon was granted July 21, 1916 for the purpose of restoring the rights of citizenship.

Ludell Miller—Convicted before the municipal court for Milwaukee county, on the fifteenth day of April, 1916, of the crime of assault with intent not found and sentenced to the Milwaukee county house of correction for the term of one year. This woman was leading an immoral life and giving her husband a large portion of the proceeds, which he spent on other women. She was subjected to great abuse on the part of her husbband and had a great deal of provocation for the crime committed. In view of all facts, she had been sufficiently punished and absolute pardon was granted October 12, 1916.

John Loraine—Convicted before the municipal court for Milwaukee county, on the nineteenth day of June, 1916, of the crime of larceny, and sentenced to the Milwaukee county house of correction for the term of two years. A certificate from the inspector shows the applicant is becoming blind. The judge and the district attorney both recommend a pardon, in order that Loraine might be given an opportunity to receive treatment for his eyes. Absolute pardon was granted November 22, 1916.

Frank Merkel—Convicted before the municipal court for Milwaukee county, on the twenty-second day of March, 1915, of the crime of obtaining money and property under false pretenses, and sentenced to the Milwaukee county house of correction for the term of one year and six months. On April 14, 1915, a conditional pardon was granted with the following provision: That Merkel immediately take up his residence in Milwaukee county, remain there during the period of his sentence, report immediately to the chief of police of Milwaukee, that he conduct himself as a peaceable and law-abiding citizen, that within sixty days he pay to the Germania National Bank ten dollars and that he continue to pay a like sum each month thereafter until overdraft to the bank is paid, that he report in writing to the chief of police on each Saturday until the expiration of sentence. At the pardon hearing it was represented that he had lived up to all of the conditions imposed and that he had so conducted himself as to be worthy of

confidence and consideration. Absolute pardon was granted May 9, 1916, in order that he might be restored to full rights of citizenship.

ABSOLUTE PARDONS FROM THE INDUSTRIAL SCHOOL FOR GIRLS.

Clara Kanieski—Convicted before the county court for Portage county, on the twelfth day of January, 1914, of the crime of larceny and sentenced to Wisconsin industrial school for girls at Milwaukee for the term of her minority. There were extenuating circumstances in connection with the crime and in the belief that she had served a sufficient length of time and that it was for the best interest of the girl's future that she return to her parents' care an absolute pardon was granted.

Marie Schwenkert—Convicted before the municipal court for Dane county, on the sixteenth day of July, 1914, of the crime of delinquency and sentenced to the Wisconsin industrial school for girls at Milwaukee for the full period of her minority. She had never been accused of any crime other than delinquency. Her husband, who was instrumental in having her sent to the industrial school, applied for her release. Absolute pardon was granted July 15, 1915.

ABSOLUTE PARDON FROM THE INDUSTRIAL SCHOOL FOR BOYS.

Edward Stelter—Convicted before the municipal court for Dane county, on the sixth day of April, 1916, of the crime of incorrigibility and sentenced to Wisconsin industrial school for boys for the full period of his minority. It was a question whether the environment of the boy was not responsible for the commission of the crime charged. The lad was sentenced without a trial. Previous to this time he had borne a good reputation. The belief is that the court erred and absolute pardon was granted May 5, 1916.

Arthur Bullock—Convicted before the municipal court for Dane county, on the sixth day of April, 1916, of the crime of incorrigibility and sentenced to Wisconsin industrial school for boys for the full period of his minority. This lad was arrested with Edward Stelter and the conditions surrounding him were precisely the same as above related. Absolute pardon was granted May 5, 1916.

George Adler—Convicted before the municipal court for Dane county, on the sixth day of April, 1916, of the crime of burglary and sentenced to the Industrial School for boys for the term of his minority. This was the lad's first offense. He had borne a good reputation and upon the assurance that the mother will look out for him absolute pardon was granted August 22, 1916.

ABSOLUTE PARDONS FROM COUNTY JAILS.

Walter Kurtz—Convicted before the justice court for Columbia county on the twenty-ninth day of October, 1914, of the crime of assault and battery and sentenced to the Columbia county jail for the term of four months. It was represented that his family needed his support and because he had received sufficient punishment for the crime committed and all interested parties urged clemency, an absolute pardon was granted January 27, 1915.

Wallace Smith—Convicted before the municipal court for Outagamie county on the twenty-ninth day of December, 1914, of the crime of assault with intent to do great bodily harm and sentenced to pay a fine of one hundred dollars, in default of payment of the same to imprisonment in the Outagamie county jail for the term of four months. For the reason that he had nearly completed his sentence and his family needed his support absolute pardon was granted March 6, 1915.

Bessie Aiken—Convicted before the municipal court for Dane county, on the twenty-fifth day of May, 1915, of the crime of adultery and sentenced to the Dane county jail for the term of six months. From affidavits on file it was represented that she was in a tubercular condition and needed medical attention. Absolute pardon was granted August 9, 1915.

Joe Miller—Convicted before the municipal court for Dane county, on the third day of January, 1916, of the crime of petit larceny and sentenced to the Dane county jail for the term of six months. The judge who sentenced Miller recommended that he be pardoned, for the reason that he had a good position awaiting him and in view of the further fact that he had served one-half of his time and been a model prisoner. Absolute pardon was granted April 7, 1916.

John Schwartz—Convicted before the justice court for Burnett county, on the twenty-eighth day of July, 1916, of the crime of

assault and sentenced to the county jail of Burnett county for the term of ninety days. The family has been reconciled to each other and the wife is anxious to have her husband released. The district attorney and the justice who sentenced him recommended clemency. Absolute pardon was granted September 28, 1916.

W. J. Ruther, alias William Allen—Convicted before the municipal court, for Dane county on the eleventh day of February, 1915, of the crime of working confidence game, and sentenced to the Dane county jail for the term of six months. On June 3, 1915, a conditional pardon was granted. On August 19, 1915, the case was re-opened, for the reason that the family, who resided in Chicago, were in destitute circumstances and desired his return, an absolute pardon was granted.

ABSOLUTE PARDONS MISCELLANEOUS.

Raymond Ebersol—Convicted before the municipal court for Milwaukee county, on the first day of November, 1914, of the crime of larceny and sentenced to be placed on probation in charge of Theodore Puls for the term of three years. A pardon was recommended by the judge, the district attorney and probation officer for the purpose of restoring the rights of citizenship. Absolute pardon granted February 10, 1916.

CONDITIONAL PARDONS FROM WISCONSIN STATE PRISON.

Curt Garden Von Knobelsdorf—Convicted before the municipal court of Milwaukee county, on the eighth day of March, 1915, of the crime of forgery and uttering and sentenced to Wisconsin state prison at Waupun for the term of two years. Penalty was excessive. The prisoner was a victim of circumstances. Von Knobelsdorf was of excellent German stock and executive clemency was asked by prominent and influential German citizens. A conditional pardon was granted March 26, 1915, the conditions being that he reside in Milwaukee county, report forthwith to the chief of police of Milwaukee, conduct himself in a law-abiding manner, and that he further report to the chief of police every Saturday until March 8, 1917, and abide by such rules and regulations as Emil von Schleinitz may provide.

Von Knobelsdorf violated the conditions of his parole by leav-

ing the state without permission and taking up his residence with the wife of a man whom he had previously wronged. The conditional pardon was revoked June 24, 1915, and von Knobelsdorf was returned to the state prison at Waupun to complete his original sentence.

A. W. White—Convicted before the circuit court for Portage county, on the sixteenth day of September, 1914, of the crime of embezzlement and sentenced to state prison at Waupun for the term of three years. White pleaded guilty to the offense upon the advice of his attorney. The crime committed was at law a technical one. Before conviction he made full restitution to his employer for the amount embezzled, and the understanding at the time he plead guilty was that he would receive a sentence but the sentence would be suspended and he would be placed on probation. This was done. He violated the conditions of his probation by becoming intoxicated. It would appear that he had learned his lesson and that the intent of the judge at the time of imposing sentence will be best subserved by granting a conditional pardon. Conditional pardon was granted June 9, 1915, the conditions being that White abstain absolutely from the use of intoxicating liquors, that he conduct and demean himself as a honorable and law-abiding citizen.

Bertha Luther—Convicted before the circuit court for Waupaca county, on the third day of February, 1915, of the crime of adultery and sentenced to the state prison at Waupun for the term of one year. It would appear that she had been sufficiently punished, the court at the time of sentence stated that the husband was the principal offender. Conditional pardon granted August 17, 1915, conditions being that she re-marry Gustav Luther before leaving prison and refrain from the use of intoxicating liquors.

Gustav Luther—Convicted before the circuit court for Waupaca county, on the third day of February, 1915, of the crime of adultery, and sentenced to the state prison at Waupun for the term of three years. It is believed that the ends of justice would be best subserved by granting this conditional pardon. The term of his wife Bertha Luther is about completed and if he is not released she will become a public charge. Conditional pardon was granted August 17, 1915, conditions being that before leaving prison he marry Bertha Luther and abstain absolutely from the use of intoxicating liquor.

Leon Showalter—Convicted before the circuit court for Grant county on the 25th day of October, 1910, of the crime of rape, and sentenced to the state prison at Waupun for the term of fourteen years. From facts presented at the pardon hearing it was determined that all of the circumstances in connection with the case were not brought out at the trial. For this reason it appeared that the sentence was excessive. Conditional pardon was granted October 14, 1915, the conditions being that Showalter abstain from the use of intoxicating liquors, that he keep away from Lancaster and Platteville, Wisconsin, and that he should not molest his wife and daughter.

Curtis Siegel—Convicted before the circuit court for Columbia county on the eleventh day of December, 1912, of the crime of resisting an officer and sentenced to state prison at Waupun for the term of three years. The evidence discloses the fact that the officer who attempted to arrest Siegel was unduly rough and severe. This treatment evidently caused Siegel to commit the crime with which he was charged. Under these circumstances the punishment has been sufficient and on October 14, 1915, a conditional pardon was granted, the conditions being that Siegel refrain from the use of all intoxicating liquors. In March, 1916, complaint was made by the chief of police of Ripon, Wisconsin, that Siegel was violating the conditions of his parole, that he had been in an intoxicated condition several times in Ripon, Wisconsin. Siegel was given a hearing on the charge and on April 7, 1916, the conditional pardon was revoked and upon the same date a new conditional pardon was granted, the conditions being that Siegel refrain from the use of intoxicating liquors, that one week from the seventh of April, 1916, he buy a ticket to Stockton, Kansas (Kansas prohibiting the sale of liquor) where he had an aunt who owned a large farm and who promised to give him employment. That upon his arrival in Stockton, Kansas, he advise the Governor and that he make a monthly report, in writing, to the Governor for a period of one year.

Frederick J. Wildes—Convicted before the municipal court for Milwaukee county, on the twelfth day of June, 1915, of the crime of embezzlement, and sentenced to the state prison at Waupun for the term of one year. Executive clemency was recommended by Judge Belden of Racine, the trial judge, likewise by Judge Backus of Milwaukee. A letter from E. C. Kropp Company of Racine whose funds were embezzled recommended that he be pardoned. Full restitution of the funds taken having been made, on November

11, 1915, a conditional pardon was granted, the condition being that Wildes shall not again engage in the loan business.

John Dorsey—Convicted before the municipal court for Rock county, on the twenty-ninth day of September, 1914, of the crime of drunkenness and sentenced to the state prison at Waupun for a term of two and one-half years. It would appear that the sentence was excessive. Conditional pardon granted December 10, 1915, conditions being that Dorsey abstain from the use of all intoxicating liquors and conduct himself as a peaceable and law-abiding citizen.

Dora Wellhouse—Convicted before the municipal court for Outagamie county, on the first day of June, 1914, of the crime of keeping house for unlawful purposes and sentenced to the state prison at Waupun for the term of three years. It was represented that the health of Dora Wellhouse was failing rapidly. Many prominent citizens requested her conditional pardon. On February 10, 1916, a conditional pardon was granted, the conditions being that she lead a moral life and conduct herself as a good, law-abiding citizen.

Annie Sunderland—Convicted before the circuit court for Chippewa county, on the twenty-first day of January, 1911, of the crime of murder in the second degree and sentenced to the state prison at Waupun for the term of fifteen years. The matron of the prison, the secretary of Associated Charities at Chippewa Falls and the superintendent of the Society for the Friendless all recommended executive clemency. Believing she had been sufficiently punished and acting upon the suggestions of those who were personally acquainted with her and are best qualified to judge, a conditional pardon was granted on April 13, 1916, the conditions being that Annie Sunderland lead a moral, upright life and abstain from the use of alcoholic liquors and devote herself to her family.

Michael J. Peterson—Convicted before the circuit court for Trempealeau county, on the seventh day of January, 1913, of the crime of arson, and sentenced to state prison at Waupun for the term of ten years. Petition was filed signed by all the jurors who sentenced Peterson, together with many letters from prominent residents of Trempealeau county, requesting executive clemency. Believing that he had been sufficiently punished and that in the future he would be a good member of society, making a home for his wife and children, a conditional pardon was granted April 13, 1916, the conditions being that he abstain from the use of alcoholic liquors, devote himself to the support of his family, and that he

conduct and demean himself as a good and law-abiding citizen and remain in Wisconsin for the balance of the term of his prison sentence.

Theodore Dahljem—Convicted before the Superior court for Douglas county, on the twelfth day of August, 1915, of the crime of adultery, and sentenced to state prison at Waupun for the term of two years. The brother-in-law of Dahljem is a prominent citizen of Minnesota and has offered Dahljem an excellent position. The wife is willing to forgive and forget and on April 20, 1916, a conditional pardon was granted in order that the family might be reunited, the conditions being that Theodore Dahljem accept the position offered by his brother-in-law in Minnesota, that he return to his family, support them and lead a moral upright life.

Zale Miller—Convicted before the circuit court for Jefferson county, on the nineteenth day of July, 1916, of the crime of larceny and sentenced to the state prison at Waupun for the term of three years. The offense was not particularly serious and the sentence appeared to be excessive for the crime committed. A conditional pardon was granted on August 10, 1916, the conditions being that Zale Miller abstain from the use of all intoxicating liquors, that he report each month to B. M. Jostad, state probation officer, upon such matters and at such time as Mr. Jostad may require, that he conduct and demean himself as a peaceable and law-abiding citizen.

Charles M. Asbjorenson—Convicted before the circuit court for Vernon county, on the twentieth day of October, 1914, of the crime of burglary and sentenced to the Wisconsin state prison at Waupun for the term of three years. Asbjorenson was convicted of breaking into the depot at Viroqua, Wisconsin, and stealing a case of beer. He had held responsible positions but the liquor habit seemed to be the cause of his downfall. By good conduct while in prison he had earned his parole. Since being on parole his conduct has been good. Upon the representation that he could again obtain a responsible position in the tobacco business and be thus better enabled to support his wife a conditional pardon was granted August 21, 1916, the conditions being that Charles M. Asbjorenson abstain from the use of all intoxicating liquors and demean himself as a peaceable and law-abiding citizen.

Edward Eckart—Convicted before the circuit court for Jefferson county, on the thirteenth day of April, 1878, of the crime of murder in the first degree and sentenced to the Wisconsin state prison at Waupun for the term of his natural life. The story of Eckart's

crime is particularly interesting. In the early days Eckart was a diamond merchant in South Africa. One day he awoke to the fact that his partner had run away with all of the worldly goods belonging to the firm. He became discouraged and started out on the life of a hobo. One evening while eating supper with a companion by the side of a railroad track in Jefferson County a third tramp came along and joined them in the evening meal. While visiting around the camp fire after supper Eckart discovered that the visitor was his partner of bygone days in the diamond fields of South Africa. Waiting until the man had gone to sleep Eckart, with a small hatchet, committed the murder with which he was charged. His prison record has been exceptionally good. He has been on parole for three and one-half years and the party to whom he was paroled, the chief of police of Waupun, Wisconsin, makes application for a pardon. On October 12, 1916, a conditional pardon was granted, the conditions being that Edward Eckart abstain from the use of liquor, that he shall not go in the vicinity where Charles Whitman, his companion on the night of the murder, is employed.

Ernest Patzold—Convicted before the circuit court for Racine county, on the twentieth day of October, 1913, of the crime of murder in the first degree and sentenced to the state prison at Waupun, for the term of his natural life. Patzold is totally blind and, therefore, a care to the prison officials, being unable to help himself. The daughter is well able to provide a home and it appears to be for the interest of all concerned that he be granted a conditional pardon, which was done October 12, 1916, the conditions being that Ernest Patzold be given a home by F. H. Young and his wife and that they provide and care for him during the balance of his life.

CONDITIONAL PARDONS FROM WISCONSIN STATE REFORMATORY

Harry Haley—Convicted before the municipal court for Chippewa county, on the fourteenth day of April, 1916, of the crime of larceny and sentenced to the state reformatory at Green Bay for the term of one year. Harry Haley has a good home and it appears that his trouble arose largely from the fact that he was permitted to frequent pool and billiard halls. Conditional pardon was granted May 19, 1916, the conditions being that he report monthly to Reverend Hayward of Chippewa Falls, that he abstain from the use of all

intoxicating liquors and remain away from pool and billiard halls or any place where intoxicating liquors are sold.

William Carmichael—Convicted before the municipal court for Dane county, on the twenty-ninth day of April, 1916, of the crime of assault with intent to do great bodily harm and sentenced to the Wisconsin state reformatory at Green Bay for the term of one year. It was represented that Carmichael's character previous to the commitment of this crime was excellent and that his mother was very poor and needed his support. Conditional pardon was granted August 4, 1916, the conditions being that he conduct and demean himself as a peaceable, law-abiding citizen and refrain from any attempt to do bodily harm to any person.

CONDITIONAL PARDONS FROM INDUSTRIAL SCHOOL FOR GIRLS

Elida Maria Malun—Convicted before the county court for Eau Claire county, on the fifteenth day of April, 1913, of the crime of being an incorrigible person, and sentenced to the industrial school for girls for the full period of her minority. Many letters received from prominent Eau Claire residents requesting executive clemency on the ground that the young lady had been sufficiently punished and had had the necessary lesson taught to her. Conditional pardon was granted October 14, 1915, the conditions being that she return to her home and report each Saturday upon such matters as may be required by John Gaustad.

CONDITIONAL PARDONS FROM INDUSTRIAL SCHOOL FOR BOYS

Julian Novak—Convicted before the juvenile court for Milwaukee county, on the fifth day of February, 1915, of being a delinquent and sentenced to the industrial school for boys at Waukesha for the term of his full minority. Many influential people petitioned the governor to grant executive clemency. The father signified his intention of giving the boy a college education. On November 9, 1915, a conditional pardon was granted, the conditions being that he report once each week to Reverend Charles B. Moulinier, S. J., of Marquette university.

Peter Vancettler—Convicted before the juvenile court for Milwaukee county, on the thirteenth day of August, 1915, of being an incorrigible and sentenced to the industrial school for boys at Waukesha for the full period of his minority. It was represented

that if executive clemency was extended to the boy the parents would see that he attended school regularly. On February 16, 1916, a conditional pardon was granted, the conditions being that he return to his parents, attend school regularly and that his parents make a monthly report concerning his conduct and his employment to Judge Eschweiler to the juvenile court of Milwaukee county.

CONDITIONAL PARDONS FROM MILWAUKEE COUNTY HOUSE OF CORRECTION

D. Watson Cromberger—Convicted before the municipal court for Milwaukee county, on the twenty-sixth day of November, 1913, of the crime of forgery and sentenced to the Milwaukee county house of correction for the term of three years. It was represented that Cromberger was in poor health and according to the statement of the physician who had examined him further imprisonment would greatly impair his physical condition. On May 13, 1915, a conditional pardon was granted, the conditions being that he abstain from intoxicating liquors, conduct and demean himself as a peaceable and law-abiding citizen, immediately take up his residence with his mother and live with her until his term expired. That he make a report in writing every Saturday until the expiration of his term concerning his life and conduct, that the report meet the approval of his mother and that it be filed with Reverend Paul P. Jenkins. Further on the first day of each month that he report in writing to the board of control upon such matters as may be required by Reverend Jenkins, the report to meet the approval of Reverend Jenkins.

Mabel Smith—Convicted before the municipal court for Milwaukee county, on the twentieth day of February, 1915, and sentenced to the Milwaukee county house of correction for the crime of burglary, for the term of three years. It was represented that there were extenuating circumstances in connection with the case and on February 10, 1916, a conditional pardon was granted, the conditions being that Mabel Smith return to Chicago and live with her husband.

David Harris—Convicted before the municipal court for Milwaukee county, on the ninth day of February, 1916, of the crime of accessory after the fact to larceny from the person and sentenced to the Milwaukee county house of correction for the term of one year. It was represented that the family was very poor

and needed the support of Harris. On August 10, 1916, a conditional pardon was granted, the conditions being that he conduct and demean himself as a peaceable, law-abiding citizen, that he follow an honest occupation, support his family and report each month to Judge Backus.

Claus Johnson—Convicted before the municipal court for Milwaukee county, on the sixth day of January, 1916, of the crime of larceny from the person, and sentenced to the Milwaukee county house of correction for the term of one year. Johnson was intoxicated when he committed this crime. His family is very needy and is being supported by the state. On August 10, 1916, a conditional pardon was granted, the condition being that he abstain from alcoholic liquor, and that he report on Saturday of each week to Reverend S. P. Todd, with a full statement of his conduct and that he further deliver all of his wages to his wife.

Herman C. Dehn—Convicted before the municipal court for Milwaukee county, on the twenty-ninth day of January, 1916, of the crime of forgery and sentenced to the Milwaukee county house of correction for the term of two years. It was represented that the family were badly in need of his support and that a position had been obtained for him. His former employers spoke well of him. On October 6, 1916, a conditional pardon was granted, the condition being that Herman C. Dehn return to his home and support his wife and children, that he be a faithful husband, sober and industrious, and that he be in charge of the probation officer of the municipal court of Milwaukee county.

CONDITIONAL PARDONS FROM COUNTY JAILS

Addie Knox—Convicted before the municipal court for Milwaukee county, on the thirteenth day of March, 1915, of the crime for forgery and sentenced to the county jail of Milwaukee county for the term of one year. It was represented that full restitution has been made for the wrong committed, that the defendant had been sufficiently punished and the husband was anxious to have her returned to his home. On July 27, 1915, a conditional pardon was granted, the conditions being that Addie Knox abstain from intoxicating liquors and report once each week to District Attorney Zabel for the balance of the term for which sentenced.

Pardon revoked October 27, 1915, for the reasons that the conditions of the pardon were violated.

Ralf Cooper—Convicted before the municipal court for Dane county, on the eleventh day of February, 1915, of the crime of operating a confidence game, and sentenced to pay a fine of two hundred dollars and costs and default thereof to imprisonment in the Dane county jail for the term of eight months. It was represented that full restitution had been made to the bank for the crime committed and that his people desired his return to Chicago. On August 24, 1915, a conditional pardon was granted, the conditions being that he return immediately to Chicago.

Floyd Gibbs—Convicted before the justice court for Calumet county on the ninth day of February, 1916, of the crime of petit larceny and sentenced to the Calumet county jail for the term of ninety days. Pardon was requested by the district attorney in order that he might marry Theresa Cosz before the birth of her child. On February 21, 1916, conditional pardon was granted to take effect March 10, 1916, the conditions being that he marry Theresa Cosz, support, maintain and care for her. Further, that he conduct and demean himself as a peaceable, law-abiding citizen.

COMMUTATIONS OF SENTENCE FROM THE WISCONSIN STATE PRISON

Harry Passno—Convicted before the county court for Marinette county, on the nineteenth day of September, 1914, of the crime of larceny, and sentenced to state prison at Waupun for the term of eighteen months. In order that Passno might be eligible to parole sentence was commuted to one year, on March 6, 1915.

John Strub—Convicted before the county court of Marinette county, on the twenty-seventh day of October, 1914, of the crime of assault to do great bodily harm, and sentenced to the state prison at Waupun for the term of two years. In order that Strub might be eligible for parole sentence was commuted to one year on March 26, 1915.

Peter O. Skulhus—Convicted before the circuit court for Eau Claire county, on the twenty-fifth day of September, 1914, of the crime of assault with intent to rape and sentenced to the Wisconsin state prison for the term of two years. In order that Skulhus might be eligible for parole sentence was commuted to one year, April 14, 1915.

Phillippi Roberti—Convicted before the circuit court for Marathon county, on the twenty-third day of December, 1911, of the crime of murder in the first degree, and sentenced to the state prison at Waupun for the term of his natural life. On June 9, 1915, sentence was commuted to fourteen years for the reason that the murder of which he was convicted as accessory before the act appears to have been planned by Imperio, that Imperio was the leader and Roberti was merely his tool, that Roberti made no preparation to commit the crime but merely in what he did was obeying the orders of Imperio.

Williard Johnson—Convicted before the municipal court for Brown county, on the thirtieth day of August, 1912, of the crime of assault regardless of life and sentenced to the state prison at Waupun for the term of eight years. On July 15, 1915, the sentence was commuted to six years for the reason that the crime was committed during a family quarrel and there is every reason to believe there was no premeditated intent.

Cicil Ridgeway—Convicted before the municipal court for Racine county, on the twenty-sixth day of December, 1913, of the crime of burglary, and sentenced to the state prison at Waupun for the term of nine years. On August 10, 1915, sentence was commuted to three years for the reason that Rigdeway was the only support of a widowed aunt and a grandmother, and for the further reason that the sentence was excessive.

Walter Bartlett—Convicted before the circuit court for Manitowoc county, on the sixteenth day of January, 1915, of the crime of adultery and sentenced to the state prison at Waupun for the term of two years. In order that Bartlett might be eligible to parole sentence was commuted on August 10, 1915, to one year, for the reason that his mother was very ill and needed his care. This crime was his first offense and while in prison he made a good record.

A. W. Huebing—Convicted before the circuit court for Sauk county, on the twenty-seventh day of February, 1914, of the crime of embezzlement and sentenced to the state prison at Waupun for the term of four years. On August 12, 1915, the sentence was commuted to three years in order that he might be eligible to parole for the reason that his family was in destitute circumstances and the wife and children needed his support. Recommendation made to the board of control that parole be granted on condition that

Huebing support his family and refrain from the use of all intoxicating liquors.

Thomas Vallier—Convicted before the municipal court for Milwaukee county, on the eleventh day of January, 1907, of the crime of rape and sentenced to the Wisconsin state prison for the term of twenty-five years. On October 14, 1915, sentence was commuted to fifteen years in order that Vallier might be eligible to parole. If he were to await eligibility for parole under the original sentence he would have reached an age when it would be difficult for him to make a livelihood. It is, therefore, better to give him a chance to secure employment now in order that he may maintain himself and daughter.

William Schmidt—Convicted before the circuit court for Marathon county, on the twenty-eighth day of February, 1914, of the crime of murder in the second degree and sentenced to the Wisconsin state prison for the term of fourteen years. On October 14, 1915, sentence was commuted to ten years, for the reason that it was proven that Schmidt had no intention of committing a crime. He was charged with having set a set gun in his orchard for the protection of his fruit. On December 14, 1916, the case was reopened and a further commutation to nine years was granted, for the reason that physical condition of Schmidt is in such a condition as to demand medical attention. This commutation makes him eligible for parole in the near future.

Thomas J. Burns—Convicted before the municipal court for Rock county, on the thirteenth day of February, 1911, of the crime of rape and sentenced to the state prison at Waupun for the term of ten years. On November 11, 1915, sentence was commuted to eight years, for the reason that in view of all the facts sentence was excessive.

Fred Girard—Convicted before the circuit court for Eau Claire county, on the twenty-seventh day of April, 1915, of the crime of adultery and sentenced to the state prison at Waupun for the term of two years. On November 16, 1915, upon recommendation of the board of control, sentence was commuted to one year, for the reason that his family needed his support and in the belief that he had been sufficiently punished it would be better for all concerned to commute the sentence so that he might be eligible for parole.

William Gerses—Convicted before the circuit court for Ashland

county, on the twenty-eighth day of September, 1911, of the crime of murder in the second degree, and sentenced to the Wisconsin state prison at Waupun for the term of fifteen years. On December 10, 1915, sentence was commuted to seven years, for the reason that the charge in this case should have been manslaughter in the second degree.

Luther Van De Wall—Convicted before the municipal court for Milwaukee county, on the twenty-third day of October, 1914, of the crime of forgery and sentenced to the state prison at Waupun for the term of three years. On December 10, 1915, the sentence was commuted to two years, in order to permit of parole.

Albert Maniewicz—Convicted before the municipal court for Milwaukee county, on the twenty-fourth day of January, 1907, of the crime of murder in the second degree and sentenced to the state prison at Waupun for the term of twenty years. On December 10, 1915, sentence was commuted to eighteen years, in order that the board of control might grant a parole, suggestion being made that parole be granted on condition that Maniewicz refrain from the use of all intoxicating liquors and make a home for his wife.

Joe Wagner—Convicted before the municipal court for Milwaukee county, on the twenty-third day of January, 1911, of the crime of murder in the second degree and sentenced to the state prison at Waupun for the term of fourteen years. On December 10, 1915, sentence was commuted to seven years for the reason that had Wagned offered a defense charge would not have been more serious than that of manslaughter in the second degree.

Fred Hartman—Convicted before the circuit court for Washburn county, on the twelfth day of May, 1909, of the crime of murder in the first degree and sentenced to state prison at Waupun for the term of his natural life. On December 10, 1915, sentence was commuted to fifteen years for the reason that charge was too great for crime committed. L. M. Mead, district attorney at the time of conviction, joined in the request for commutation of sentence.

Albert H. Bitter—Convicted before the municipal court for Milwaukee county, on the twenty-fourth day of October, 1912, of the crime of abduction and sentenced to the state prison at Waupun for the term of fifteen years. On December 10, 1915, sentence was commuted to six years, for the reason that Bitter has been suf-

ficiently punished, family in straightened circumstances and needed his support. District attorney and many prominent citizens recommended executive clemency.

Albert Swanson—Convicted before the circuit court for Oconto county, on the twenty-fourth day of November, 1896, of the crime of murder in the first degree and sentenced to state prison at Waupun for the term of his natural life. On December 13, 1915, sentence was commuted to twenty years upon the recommendation of the judge who presided at the trial, who stated that penalty should be for murder in the second degree.

H. H. Robertson—Convicted before the municipal court for Rock county, on the seventeenth day of July, 1915, of the crime of forgery and sentenced to state prison at Waupun for the term of eighteen months. On November 10, 1915, sentence was commuted to one year for the reason that his family was very much in need of his assistance. With the further recommendation to the board of control that Robertson be paroled at the end of six months.

Jack Bartle—Convicted before the circuit court for La Crosse county, on the seventh day of September, 1912, of the crime of rape and sentenced to Wisconsin state prison at Waupun for the term of fifteen years. On January 4, 1916, sentence was commuted to six and one-half years, in order to permit of parole.

Ignazio Giangrasso—Convicted before the municipal court for Milwaukee county, on the twenty-eighth day of June, 1911, of the crime of murder in the second degree and sentenced to the Wisconsin state prison at Waupun for the term of twenty-five years. On January 13, 1916, sentence was commuted to fifteen years, for the reason that it appears that the deceased in this case was the aggressor and there is some evidence of self-defense.

Ernest A. Mitchell—Convicted before the municipal court for Outagamie county, on the thirtieth day of November, 1914, of the crime of forgery, and sentenced to the state prison at Waupun for the term of five years. On January 13, 1916, sentence was commuted to two years, for the reason that sentence imposed was excessive.

Hugh Sorenson—Convicted before the circuit court for Polk county, on the twenty-fifth day of February, 1913, of the crime of murder in the first degree and sentenced to the state prison at Waupun for the term of his natural life. On January 13, 1916, sentence was commuted to fourteen years, for the reason

that it appears that at the time the crime was committed Sorenson was too drunk to premeditate murder.

Adelbert I. Markee—Convicted before the circuit court for Monroe county, on the twenty-seventh day of July, 1915, of the crime of embezzlement, and sentenced to the state prison at Waupun for the term of three years. On February 9, 1916, sentence was commuted to one year for the reason that it is the belief that the man had been sufficiently punished. He has a large family in destitute circumstances. The board of control recommended a commutation of sentence in order to permit parole.

Grace Green, Esther Halcro and Louise Nelson—Convicted before the circuit court for Rock county, on the twenty-third day of October, 1915, of the crime of grand larceny and sentenced to the state prison at Waupun for the term of eighteen months. On February 16, 1916, sentence was commuted to one year upon recommendation of Judge Grimm who presided at the trial as well as warden Town, for the reason that sentence was deemed excessive.

Frank Kavanaugh—Convicted before the municipal court of Milwaukee county, on the twenty-second day of May, 1914, of the crime of manslaughter and sentenced to the state prison at Waupun for the term of five years. On March 9, 1916, sentence was commuted to four years, for the reason that sentence was excessive for the crime committed.

John Omnischinski—Convicted before the municipal court for Winnebago county, on the tenth day of July, 1914, of the crime of assault with intent to kill and murder and sentenced to the state prison at Waupun for the term of four years. On March 9, 1916, sentence was commuted to three years. The judge and district attorney who presided and prosecuted at the trial recommended clemency, for the reason that his four minor children needed a father's care.

Ernest Buteke—Convicted before the municipal court for Milwaukee county, on the twenty-eighth day of May, 1915, of the crime of embezzlement and sentenced to the state prison at Waupun for the term of three years. On April 7, 1916, sentence was commuted to eighteen months to permit of parole, for the reason that his wife and children were in straightened circumstances and needed their protector's support.

Frank Nelczynski—Convicted before the circuit court of Portage county, on the sixteenth day of March, 1910, of the crime of

murder in the second degree and sentenced to the state prison at Waupun for the term of fifteen years. On April 13, 1916, sentence was commuted to ten years, and board of control recommended to parole Nelczynski. He had been a model prisoner, and believe he has been sufficiently punished. His mother in need of his assistance.

Carl Boek—Convicted before the circuit court for Columbia county, on the fifteenth day of August, 1905, of the crime of murder in the first degree and sentenced to the state prison at Waupun for the term of his natural life. On April 13, 1916, sentence was commuted to twenty years. The district attorney who prosecuted appeared as the attorney for Boek requesting clemency. It appears that the crime was not premeditated and it is believed that he has been sufficiently punished.

Jack Martinson—Convicted before the circuit court for St. Croix county, on the twenty-eighth day of September, 1908, of the crime of rape and sentenced to Wisconsin state prison at Waupun for the term of twenty-five years. On April 13, 1916, sentence was commuted to fourteen years. Lester Manson, counsel for the defendant, makes the statement that the woman raped was in the saloon with the defendant and that the defendant was in an intoxicated condition at the time. Under all the circumstances, the penalty of fourteen years is sufficient.

Bud Stanley—Convicted before the circuit court of Langlade county, on the twelfth day of May, 1913, of the crime of manslaughter in the second degree and sentenced to the state prison at Waupun for the term of seven years. On May 10, 1916, sentence was commuted to six years, for the reason that Stanley was in poor health, his eyes are steadily failing him, and added to this his aged mother has sustained several fractures to one of her arms and owing to her age the bones do not knit. She has no one to support her and needs Stanley badly. In view of his excellent prison record sentence was commuted in order to permit a parole.

Walter Tutlewski—Convicted before the municipal court for Kenosha county, on the twenty-third day of October, 1915, of the crime of nonsupport and sentenced to the state prison at Waupun for the term of two years. May 16, 1916, sentence was commuted to one and one-half years, in order to permit of parole. Tutlewski has a large family, the family being scattered, and in order

they may return and be supported by the father sentence is commuted.

Anton Brunner—Convicted before the municipal court of Manitowoc county, on the seventh day of October, 1915, of the crime of adultery, and sentenced to the Wisconsin state prison for the term of two years and ten months. On August 10, 1916, sentence was commuted to two years for the reason that under the circumstances the sentence was too severe.

Anton Novak—Convicted before the municipal court for Manitowoc county on the thirty-first day of July, 1913, of the crime of assault with intent to kill and murder, and sentenced to the state prison at Waupun for the term of eight years. On October 12, 1916, sentence was commuted to four years for the reason that there was evidence to show that Novak armed himself in self-defense and for this reason sentence was too severe.

Frank Le Roy Evanson—Convicted before the municipal court for Milwaukee county on the tenth day of November, 1915, of the crime of assault and robbery and sentenced to the State prison at Waupun for the term of three years. On October 28, 1916, sentence was commuted to two years in order to allow parole. Evanson has developed tuberculosis and sentence is commuted to allow his relatives to give him the proper care.

William Flaherty—Convicted before the circuit court for Lincoln county on the twelfth day of April, 1915, of the crime of larceny from the person, and sentenced to the state prison at Waupun for the term of seven years. On December 14, 1916, sentence was commuted to four years, the judge who sentenced him recommending that sentence be commuted.

John Murray—Convicted before the municipal court for Brown county, on the fourth day of November, 1912, of the crime of rape and sentenced to the state prison at Waupun for the term of thirty-five years. On December 14, 1916, sentence was commuted to twenty years for the reason that the sentence was excessive and for the further reason that if Murray had been compelled to serve the full sentence he would be so old as to become a public charge.

Frank Branden Brook—Convicted before the circuit court for Portage, special for Wood county on the twenty-third day of June, 1913, of the crime of rape and sentenced to state prison at Waupun for the term of fifteen years. On December 14, 1916,

sentence was commuted to five years for the reason that the district attorney who prosecuted the case was under a misapprehension as to the character of the girl against whom the offense was committed.

Stephen Bromley—Convicted before the circuit court for Taylor county, on the seventh day of January, 1907, of the crime of murder in the first degree and sentenced to the state prison at Waupun for the term of his natural life. On December 14, 1916, sentence was commuted to eighteen years, for the reason that the offense committed was not more serious than murder in the second degree. Bromley shot the deceased to escape physical injury to himself.

John J. Young—Convicted before the circuit court for Green county, on the twenty-first day of February, 1916, of the crime of assault with intent to murder and sentenced to the state prison at Waupun for the term of five years. On November 23, 1915, sentence was commuted to two years, the district attorney and judge who had charge of the case recommending that sentence be commuted in order to permit of parole after February 21, 1917.

Arthur Young—Convicted before the circuit court for Marathon county on the twenty-first day of October, 1903, the crime of murder in the first degree and sentenced to the state prison at Waupun for the term of his natural life. On December 20, 1916, sentence was commuted to twenty-five years, for the reason that the original sentence was excessive, he should have been convicted of murder in the second degree.

COMMUTATIONS OF SENTENCE FROM THE WISCONSIN STATE REFORMATORY

Bayles Owen—Convicted before the municipal court of Dane county, on the sixth day of May, 1916, of the crime of burglary in the nighttime and sentenced to the state reformatory at Green Bay for the term of one year. On August 10, 1916, sentence was commuted to six months because of his youth and inexperience and his previous good character, and the further fact that his family bear an excellent reputation.

Carol Standiford—Convicted before the circuit court for Vernon county, on the sixteenth day of March, 1916, of the crime of aiding in concealing stolen property and sentenced to the state reformatory at Green Bay for the term of one year. On August 11, 1916, sentence was commuted to six months in order that it might be possible for him to enter school in the fall and for the further reason that this was his first offense and his mother is partly dependent upon him for support.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

December 31, 1916.

EXECUTIVE COMMUNICATIONS

To the Honorable, the Legislature:

Pursuant to the requirements of law, I have the honor to report the following expenditures from the governor's contingent fund, during the period beginning on the first day of January, 1915, and ending at noon on the first day of January, 1917:

Receipts

Jan. 4, 1915, check received from Duncan McGregor, secretary to the governor, for cash on hand	$807 71	
Received from sundry sources	16 44	
Sept. 8, 1915, cash from state treasurer	500 00	
Dec. 21, 1915, cash from state treasurer	500 00	
		$1,824 15

Disbursements

Inaugural ceremonies	451 85	
Governor's message	51 00	
E. F. Dithmar, expenses to Milwaukee.	6 13	
Stenographic services	10 00	
J. C. Grondyke, expenses investigating binder twine machinery	3 05	
L. P. Benezet, work of investigation in Iowa on central board of education	24 09	
L. T. Crabtree, expenses in the investigation of forest reserve	45 62	

L. H. Bancroft, expenses to Panama-Pacific exposition for the purpose of delivering address Wisconsin day...	361 50	
Caring for grave of Governor Harvey..	5 00	
R. B. Pixley, expenses on trips with governor	135 02	
R. B. Pixley, expenses on trip to Puckaway Lake on Mueller murder investigation	35 00	
Sidney Hirsch Co., uniform for messenger	46 80	
Daniel E. McDonald, for detective service rendered in Bachler matter.....	81 53	
L. C. Whittet, expenses five trips to Milwaukee, while governor was in hospital	18 12	
Newspaper subscriptions for papers received at executive office	389 15	
		1,663 36
Cash on hand		$160 29
Under section 172—2 Executive Department receives a contingent fund of $2,000.00 per annum. There remains to the credit of this department on books of secretary of state	3,000 00	
Total balance in contingent fund....		$3,160 29

Respectfully submitted,

EMANUEL L. PHILIPP.
Governor.

January 2, 1917.

Regular Session Began January 10, 1917;
Ended July 16, 1917.

Special Session Began February 19, 1918;
Ended March 9, 1918.

Second Special Session Began September 24, 1918;
Ended September 25, 1918.

GOVERNOR'S MESSAGE.

Jan. 11, 1917.

To the Senate and Assembly:

In conformity with law and long established custom, I submit to you at this time such information and recommendations pertaining to the state government as seem to be most urgent. The printed reports of the departments of government, also of all state institutions, will be placed before you. These reports present the work of the different departments and institutions in detail, and I recommend them to you for your consideration.

STATE FINANCES

On December 29th, 1916, there was a balance of $709,747.47 in the state treasury available for the payment of the general expenses of the state government. By practicing rigid economy wherever it was possible, we were able to carry this amount over to the new calendar year, despite the fact that we inherited large building appropriations from a former administration for which no money had been provided. For a full statement of the condition of the treasury I refer you to the treasurer's report dated December 29, 1916, which will be delivered to you.

In entering upon your duties as legislators, it is important for you to know what the probable income of the state will be for the next biennium, in order to guide you in making appropriations. I therefore submit to you an estimate of the state's income derived from other sources than general tax levies for the fiscal years

1917-18 and 1918-19. I am also able to present to you the appropriations that have been requested by the different departments and state institutions and the revisions and recommendations made by the State Board of Public Affairs and the Central Board of Education.

The following are the budget recommendations as per the State Board of Public Affairs and the Central Board of Education, not including land and building requests:

SUMMARY

	1917-18	1918-19
Estimated Receipts	$14,707,867.00	$15,277,806.00
Estimated Appropriations	14,310,401.00	14,593,469.00
Estimated Balance	$ 397,466.00	$ 684,337.00

ESTIMATED RECEIPTS

	1917-18	1918-19
Receipts from Corporations, Estates and Fees	$ 8,461,000.00	$ 8,538,000.00
Departmental Receipts	2,392,494.00	2,795,354.00
Charitable and Penal Institutional Receipts	596,674.00	597,824.00
Normal School Receipts	835,240.00	860,199.00
University Receipts	2,422,459.00	2,486,429.00
Totals	$14,707,867.00	$15,277,806.00

ESTIMATED APPROPRIATIONS

For Boards, Depts. and Commissions	$ 8,150,973.00	$ 8,491,345.00
For Charitable and Penal Institutions	2,084,274.00	2,062,217.00
For Normal Schools	1,285,669.00	1,194,137.00
For University	2,789,485.00	2,845,770.00
Totals	$14,310,401.00	$14,593,469.00

The appropriations that are recommended have been kept within the state's income. If the appropriations which you will make are kept within the limits suggested by the revising boards, the probable excess of the state's revenues for the same period will be $774,-140.00. The estimates of expenditures do not include any appropriations for new state buildings. The indications are that the state's revenues will be sufficient to provide the money to complete

the building operations authorized by the legislatures of 1913 and 1915. The incomes have been estimated conservatively, and I believe can be safely relied upon.

The last legislature made a tax levy for the benefit of the general fund of $1,000 each for the fiscal years 1916 and 1917. The balance of the state taxes levied were statutory and were all for educational purposes. I desire to call your attention to the fact that unless you make material reductions from the budget estimates for operating expenditures, you will not be able to make large building appropriations without providing for a tax levy to meet such capital investment.

If you wish to increase the state's revenues from sources other than by direct taxation, I call your attention to the suggestions made by the tax commission, which, if carried out, would be the means of accomplishing that end to some extent. The tax commission recommends that a larger part of the income tax, also of the automobile license fees, be given to the state. I regard this suggestion as sound, particularly in view of the demand for increased appropriations for highways.

TAXATION

A fair and equitable division of the burden of taxation is and always has been one of the important problems of government. Under our system of taxation real property pays the larger part of the taxes collected. It is, therefore, necessary that the assessments of such property be carefully made and that the values be arrived at on some uniform basis. To do this requires men of experience and good judgment.

The work of our local or township assessors is in many cases not well done. It frequently occurs that re-assessments are necessary. In such cases the work is done by agents of the Tax Commission and is quite costly, the expense falling upon the township that is re-assessed. We shall get more equitable assessments and, therefore, more satisfactory results if we will by law abolish the old system of local or township assessors and create the office of county assessor instead. Such county assessors should be compelled to pass a satisfactory civil service examination and the appointment should be made by the county board. They should, however, do the work under the direction of the State Tax Com-

mission. Their salaries and tenure of office should be fixed by legislative act.

I believe that such a system would give us assessors better qualified for the service, and, by making a study of the property values of the county, they soon would be able to make a revision of the assessments that would come nearer to compliance with the rule of uniformity and would, therefore, be much more satisfactory to the people; and as a consequence would avoid the expense and the unfortunate controversies that grow out of reassessments, which, in the main, can be attributed to the unsatisfactory work of the local assessors.

The county assessors, that I have suggested here, could at the same time act as the assessors of incomes, thereby reducing the present force of income assessors to a small number, which would result in a substantial saving to the taxpayers.

I believe it to be unnecessary to make assessments of real estate every year. The value of that class of property does not, as a rule, change much within that time. If a fair and equitable assessment is once established, a re-assessment every four years should be sufficient, and I recommend that this change be made in our statutes.

The Tax Commission suggests numerous changes in our income tax law. I am particularly impressed by the suggestion that taxes paid upon personal property should not be used as an offset for income taxes. It is, in fact, difficult to understand why such a provision ever was made. If personal property is to be taxed there seems to be no good reason why the taxpayer shall be permitted to deduct the amount paid from his income tax. As the law works out in its present form a large percentage of the income tax that is assessed at a considerable cost becomes uncollectable because of this provision of law. The aggregate income tax assessed in 1915 on the income of 1914 was $3,837,370, and the amount of personal property receipts used as an offset was $1,825,641—thus reducing the net result of the tax by nearly fifty per cent.

It is a useless effort to compel the taxpayer to make elaborate and complicated reports of his income and maintain a large and expensive organization for assessing incomes and then have the result nullified by the use of personal property tax receipts to offset the amounts due. I recommend that the statute which

permits the taxpayer to use his personal property tax receipt as an offset for income tax be repealed.

I also recommend the repeal of the law under which the owner of a home is compelled to pay an income tax on its rental value. I do this because I believe such a tax is unfair and unjust.

I call your attention to the numerous recommendations made by the Tax Commission. Their report has been placed upon your desks. I cannot agree to the proposition that personal property shall be removed from the tax roll. According to the report of the Commission that class of property yielded $5,680,728 in taxes in 1915. In view of the growing demand for public improvements, all of which will necessitate the expenditure of large sums of money, the state cannot afford to reduce its revenues. If the system is changed and personal property is exempt, the loss of revenue must be made up in some other way and the greater part will naturally fall upon our real estate. Our income tax is already high. The same people who pay the income tax to the state pay an income tax to the national government and it would seem that the amount that is now demanded from that class of taxpayers should not be further increased. To do so would, in my judgment, interfere with the industrial development of our state.

I agree with the Tax Commission that public utilities such as water, light, heat and power plants and the leased buildings connected therewith, should not be classified as personal property. All property of that character should be transferred to the real estate class.

HIGHWAYS

One of the most important subjects that you are called upon to consider during this session is the matter of devising an economical and effective system of highway construction. The demand for better roads is general. It is, however, a project that involves tremendous expenditure of money and we should, therefore, approach it in a spirit of conservatism. The size of the undertaking is best understood when we consider it in connection with the fact that the state has over 70,000 miles of highways, the greater part of which need to be rebuilt if we expect to bring all of our public roads to a satisfactory standard.

The annual report of the State Highway Commission has been submitted to you. The recommendations contained therein rep-

resent the conclusions that the commission has reached in its experience in dealing with the highway question. I recommend the report for your careful consideration.

I wish particularly to impress upon you the necessity of making provision for the proper maintenance of the roads that are built. Nearly 5,000 miles of state aid roads have been built since the beginning of the state aid system, at a cost of about $16,000,000. No provision was made for the maintenance of these roads, with the result that sections which were built two and three years ago are worn out and the investment has, therefore, been lost. It seems to me that it requires no further argument than to say that the construction of costly highways without proper provision for their maintenance is a waste of public money and a disappointment to the people.

The Congress of the United States has appropriated a sum of money to aid the states in the construction of post roads. The total amount that will come to our state from that source is $1,925,416. The appropriation covers a period of five years and is made available in the following sums:

For the fiscal year 1916-17	$128,361.00
For the fiscal year 1917-18	256,722.00
For the fiscal year 1918-19	385,083.00
For the fiscal year 1919-20	513,444.00
For the fiscal year 1920-21	641,805.00

Under the provisions of the act which appropriates these amounts the aid from the government can be used only for the purpose of construction and no part of it can be used for purchasing right of way, for engineering cost, or any other preliminary work. The law provides further that the state must spend at least an equal sum for the same purpose, the road must be continuous, and must, therefore, be part of a trunk line system, the plans for which are subject to approval by the United States Commissioner of Agriculture.

In order to secure federal aid it is necessary for the state to undertake the building of a system of trunk line roads as a separate project, and I recommend that you appropriate a sum of money for this purpose which will equal the sums that will be contributed by the United States government. Insomuch as the counties in which these trunk lines will be located will be

especially benefited, I recommend further that you pass a law that will require appropriations in an equal sum by such counties, the same to be apportioned among the counties upon a mileage basis.

If this plan is followed we will expend over $6,000,000 in the construction of federal aid roads in the next five years. The appropriation passed by the last legislature provides for an annual expenditure of $785,000 in state aid. If we add the contributions made by the counties and towns we will spend over $12,000,000 under that system during the same period. The sums that I have named, plus the money that is being expended by counties independent of state aid, will give our road building organization as much work as it can intelligently supervise.

Furthermore, the cost of carrying on the projects that I have outlined will constitute a larger burden for the taxpayer, and in my judgment it should not be increased. We should meet the public demand for better roads. It is my opinion, however, that we should provide a plan that can be carried forward with a reasonable annual expenditure. We should not permit ourselves to be led too far by the "good-roads" enthusiast, who would wish to accomplish it all in a year. It is important that the work which is done is of a character that, with reasonable expenditure for maintenance, will remain a permanent improvement.

EDUCATION

Two years ago I presented a legislative program affecting our educational system which I believed to be beneficial. A Central Board of Education was created by law which experience has proven to be an improved form of educational government.

The law which provides for the employment of supervising teachers in our rural schools is beneficial and is admitted by educators to be an advance step in rural education. I believe, however, that we will improve this service and the results that we will derive from it if we require some special training as a qualification for this position.

I also recommend that the minimum salary fixed by law for rural school supervising teachers be increased to a sum large enough to enable county superintendents to compete with village and city schools in securing suitable teachers.

I will reiterate the statement that I made in my message two years ago, that the most helpful assistance that we can give our country schools is to provide better teachers. We shall not succeed in doing this unless we make the profession of rural school teacher more attractive. Higher salaries and in many cases better schoolhouses are required to bring conditions nearer the ideal. The last legislature recognized the necessity of doing something substantial for this important branch of public service by providing some state support for rural school teachers based upon efficiency and term of service. The amounts provided by the statute are, however, not sufficient to accomplish the end desired. I recommend that you grant a further increase in their compensation from the state.

I also recommend that after 1920, all teachers who have not been in the service for three years be required to have a high school education or its equivalent and at least one year special training as teachers beyond the high school course.

I ask that you give your attention to industrial education and continuation schools. The latter are important to a great mass of people who are compelled to become wage earners early in life and are therefore obliged to leave school at an early age. The continuation school gives them an opportunity to improve their education during the evening hours or at such times when they are not engaged in their employment.

Industrial education is particularly important to the workmen in our factories. All indications point to the fact that we have entered an age in which greater efficiency is demanded in all industry. Our people must be placed in position to meet modern requirements in this respect. It is the purpose of the industrial school to fill this want.

The last legislature passed an act which has the effect of giving this branch of education dual supervision. The plan leads to a conflict of authority and is not a practical form of government.

In order to make the management of this system harmonious, I recommend that the board remain constituted as it now is—namely, three representatives representing the laboring class, three representing the manufacturers and two to be chosen from among educators, and the state superintendent of public instruction to remain an ex-officio member. To this board should be given the power to initiate the work of industrial education, the super-

vision over the same to be placed in charge of the state superintendent of public instruction. All employes of the board should be appointed only by the board, from a list of names supplied by the state superintendent of public instruction.

I concur in the recommendation made by the Central Board of Education which changes the system of state aid to industrial and continuation schools to a basis of part salary for the teachers. Under the present system there seems to be confusion about the amount that the state should pay.

NEW BUILDING PROJECTS

Additional buildings are requested by the University, the State Normal Schools, Stout Institute and by the State Board of Control for the Charitable and Penal Institutions.

In view of the present high cost of material I believe it a wise policy for the state to defer all building operations, except such as are absolutely necessary, to a time when material can be secured at reasonable prices, and normal conditions prevail. It is generally conceded that the present high prices cannot continue much longer, especially if the war in Europe comes to an end. It may reasonably be expected that when the war is over there will be a re-action in business and some re-adjustment of our economic conditions will take place. There is reason to believe that during the period of re-adjustment work will become scarce and laboring men will be seeking employment.

Because of these possibilities it should be the policy of the state to defer its building operations, so far as it is possible, not only in the interest of lower prices, but for the purpose of providing employment to our laboring men at a time when business and private industry is dull, and work is scarce. Furthermore, during times when there is an abundance of employment at high wages in private industry, public enterprise should not compete for the available labor any more than is absolutely necessary. It should reserve its work in the interest of the workingman for a time when he needs it. Nor should the state interfere with private industry to the extent of curtailing necessary production.

WORKMEN'S COMPENSATION

The Workmen's Compensation Act was enacted in this state at a time when there was no American experience available as a guide to those who drafted its schedules. The fact that the work of framing this act was well performed in the light of the conditions then existing is demonstrated by the very general satisfaction that has resulted from the operation of the law.

It is no criticism of the act or the work of those who framed it to say that experience has shown the necessity of some changes. In the light of the five years' experience under the act that is now available it is generally agreed that certain schedules should be revised. There is a wide difference of opinion as to what is fair and equitable in the revision of many of the provisions of the act. It would be unwise to make changes, the wisdom of which may be doubted, without serious consideration.

In order that the revision may be based upon sound and equitable principles, I recommend a revision at this session of those schedules upon which there is general agreement. I further recommend that you appoint a joint legislative committee with power to make a thorough study of the whole subject of workmen's compensation in the light of developed experience and present day information.

This investigation should be made between the adjournment of the present session and the meeting of the next regular session of the legislature. The committee should report its findings to the governor for transmission to the next session of the legislature in order that that body may have intelligent and reliable information upon which to base a revision of this important law.

WORKMEN'S COMPENSATION INSURANCE

The present situation relative to workmen's compensation insurance is not at all satisfactory. The compensation act compels the great majority of employers of labor in this state to carry this kind of insurance. This act also takes away from the injured workman and his dependents the right of action which he or they formerly had against the employer, and substitutes compensation under the act. The obligation of the insurance

company may continue over a long period. In some instances this period may be as great as fifteen years.

The persons most interested in the quality of this kind of insurance are the workman or his dependents, who are not parties to the insurance contract. The continued solvency of companies writing this kind of insurance is of first importance. The state should exercise its power to guarantee such solvency to the greatest possible extent. The importance of action with this end in view is especially apparent at this time in the light of the fact that a large number of companies writing workmen's compensation insurance have gone into liquidation or discontinued the business during the past year.

Rates for this kind of insurance should be adequate to meet the obligations of the company to the injured employee or other person entitled to indemnity. The rates charged should be reasonable in order that injustice may not be done to the employer, who is compelled under the law to buy insurance. The cost of this kind of insurance should be equitably distributed over the industries and should be collected without discrimination by the insurers carrying this class of insurance.

To this end and to the further end that economy and uniformity may prevail, I recommend and urge upon you the enactment of a law requiring, under state supervision, cooperation between companies writing workmen's compensation insurance in the work of making rates, establishing classifications and making inspections.

I further recommend that you vest in the Department of Insurance and the Industrial Commission power to control the rates charged for workmen's compensation insurance as to adequacy and also as to reasonableness. These departments should also be clothed with power to require and compel uniformity in classifications. This uniformity is necessary if the experience of companies writing this class of insurance is to become valuable for rate making purposes. It is also important as an element in preventing discrimination in cost between employers.

SOCIAL INSURANCE

The subject of social insurance now is attracting the attention of many public spirited citizens and organizations. We all must recognize the obligation of society as a whole to those unfortu-

nate members of the community who suffer from sickness, accident, unemployment or old age. In dealing with a subject of so great importance, and such immense proportions when measured in dollars and cents, we must be practical as well as sympathetic. Many and varied plans have been proposed as a means by which the unfortunate condition of those who suffer from disabilities such as above mentioned may be relieved. There is, however, no harmony of view on the part of those who have given much thought and study to the subject.

Wisconsin, in the past, has established a wise precedent in making a thorough investigation of new and important problems before undertaking to legislate. There are many elements which enter into a consideration of the social insurance question in many of our states and cities that are not applicable to conditions in Wisconsin. The conditions to be met and the most practical and wise method of meeting them may be very different here than are those in states containing larger industrial populations. I, therefore, urge upon you that you give attention to this subject.

I further urge that you follow the precedent established in connection with the workmen's compensation law by appointing a legislative committee for the purpose of studying the question of social insurance from the standpoint of Wisconsin, with the end in view of determining the necessity and wisdom of the legislation, and in the event that the committee decides that legislation ought to be enacted, it be instructed to formulate recommendations as to the method of accomplishing the end that is sought. Such a committee should be empowered to call to its assistance such expert service as may best serve it in making a comprehensive and exhaustive study. It should report to the governor before the convening of the next regular session of the legislature.

FIRE INSURANCE RATES

Fire insurance is now recognized as a commercial necessity. The prosperity of our people is largely dependent upon their ability to obtain fire insurance protection of unquestioned quality. To this end we need financially strong companies of our own state as well as those of our sister states. To those companies, both domestic and foreign, that render a useful and neces-

sary service to our people we must accord the same opportunities that are given to other desirable business enterprises. The service of fire insurance companies is quasi public in its nature. This service is impressed with a public interest that distinguishes it from many business enterprises. The nature of the business of the fire insurance company justifies the state in applying to it regulatory measures that cannot be applied to many business institutions. Protection, which is the commodity sold by the fire insurance company, should be sold to the purchaser without discrimination, as is the service of other public service corporations.

The insurance company is the agency through which the cost of fire waste is distributed over insured property, while the owner of the property is the real burden bearer. The insurance company is entitled to a fair and reasonable profit for the service that it renders. It is not entitled to more than that. The state should exercise its power to the end that the fire insurance companies receive a fair return for services rendered, and that the people are enabled to procure their insurance protection at reasonable non-discriminatory rates. Economy in bringing to the people the service of companies writing fire insurance in this state is desirable. To this end, co-operation between companies in rate making and other activities is necessary. Co-operation without regulation would, however, leave the citizen to the mercy of the companies. If co-operation is authorized, it should be under proper state supervision and regulation.

I therefore recommend and urge upon you the enactment of a law that will require all companies writing fire insurance on property located in this state to be members of a rating bureau, to be located in this state, and that will further require co-operation in rate making to the end that the cost be reduced and uniformity obtained. The law should prohibit discrimination and require the rate charged to be reasonable.

I further recommend that such legislation permit variation from rates made by bureaus, so that economies in management or favorable loss experience may accrue to the benefit of the owners of insured property. The bureaus charged with this important function of rate making should be required to obtain a license from the state. Bureaus authorized by law, as well as insurance companies and insurance agents, should be subject to a penalty for violations. The Insurance Department is the logical agency

of the state to be charged with the administration of such an act.

I therefore recommend that the Commissioner of Insurance be vested with authority along the lines herein outlined, and that full provision be made for the successful administration of the law.

STATE INSURANCE

In my message to the legislature two years ago I called attention to the depleted condition of the state fire insurance fund. I wish to again call your attention to the condition of that fund on January 1, 1917:

ASSETS.

Cash on hand January 1, 1917	**$154,144.61**
Due from counties	**549.32**
Total assets	**$154,693.93**

LIABILITIES.

Due general fund	**$ 78,137.99**
Unearned premium	**50,894.31**
Unpaid losses (estimated)	**20,000.00**
	$149,032.30
Surplus January 1, 1917	**$ 5,661.63**

We had some losses during the past two years. It was our good fortune, however, that none of our large risks burned. If, for instance, the main building at the Northern Hospital for the Insane, which we carry for $666,000, had burned, instead of the Oshkosh Normal School, our deficit would be very large. The present condition of this fund after an experience of twelve years demonstrates, conclusively, that state insurance on the basis on which it has been carried is a failure. I believe this to be due to the fact that the values of the units insured bear too large a proportion to the total risk carried.

I stated two years ago, and in the light of our experience since then I see no reason to change my mind, that we should discontinue this form of insurance, because it affords no protection. The buildings belonging to the state that are subject to destruc-

tion by fire should be insured with regular insurance companies for precisely the same reason that private owners of property insure their buildings.

In this connection I also call attention to the fact that the state is carrying fire insurance on property that is owned by counties, cities and school districts in a sum exceeding $2,000,000. I question the right of the state to engage in the insurance business to the extent of covering property that does not belong to the state. However, the law provides that the properties of counties, cities and school districts may be insured by the state, using the state fire insurance fund to pay any loss that may occur. Insomuch as the amount that is now in the treasury after twelve years of experience is entirely inadequate because it is not sufficient to pay a total loss on any one of the large risks, it seems to me that it would be wise to refund the unearned premiums to the owners of that class of property and cancel our policies. As that matter now stands the counties and school districts rely upon this insurance for their protection against fire loss. If the loss that may occur is greater than the amount of money in this fund in the treasury, it will be impossible to make a settlement unless we draw upon the general fund for the purpose. Although I believe that the state would be morally bound to pay the loss, it may, however, find its hands bound by constitutional prohibitions. We should not deceive the counties and other subdivisions in this matter and I urge upon you that the state discontinue this class of insurance and settle with the counties and school districts in the manner that I have indicated.

STATE BOARD OF CONTROL

All state institutions have been subjected to a critical examination by the State Board of Public Affairs. Everything that was objectionable has been "cleaned up" and I am pleased to state that our public institutions are now generally well managed and that proper attention is given to reasonable economies. I am able to report to you that during the last fiscal year the prison twine plant was converted into a profitable institution, having made a profit of $81,000, and that the state prison was run at a profit instead of a loss for the first time in its history.

The United States government is contributing to the support

of soldiers and their wives who are at present in the Wisconsin Veterans' Home at Waupaca. The government aid was withheld for a time on the ground that insomuch as this home is under the management of the Grand Army of the Republic it cannot be regarded as a state institution and that government aid will, therefore, be discontinued.

I have been able to secure a reconsideration of the questions raised and the order given, and the federal aid has been resumed for the present. The government, however, insists that the management of this home be turned back to the state and if this is not done federal aid will be discontinued. Insomuch as the contribution made by the United States government amounts to large sums of money, which will be lost unless we comply with the government's wishes, I recommend that you enact such legislation as is necessary to turn the home over to the State Board of Control or some other board to be selected by the governor.

I wish to state in this connection, however, that I regret that the government has seen fit to interfere with the management of this institution by the Grand Army. I wish that that organization might have the privilege of taking care of its own for the short time that these men have to remain with us. However, the mandate has come from the government that we must make the change and hence I make this recommendation.

The business of the Board of Control is growing rapidly and corresponding responsibilities are coming to it as a natural consequence. As the board is now constituted it is composed of five members. However, only one makes his home in the city of Madison. The expenditures managed by the board are necessarily large. The institutions in their charge are of great importance to the state, as is the proper and economical administration of them. It would, in my judgment, be in the interest of the state to reduce this board to three members, the same to reside in the city of Madison and devote all of their time to the business of the board. The salaries should be increased to an amount large enough to attract and hold good men, because the public interest demands that the work assigned to the board be ably done. I, therefore, urge you to reduce the board to three and compel the members to give all of their time to the work of the board. I make this recommendation in the interest of greater efficiency in the administration of our state institutions.

I also recommend that the State Superintendent of Public Instruction be given supervisory power over the educational features of our charitable and penal institutions. The education of the blind and the deaf and dumb are specialties in educational work, also the education of the feeble-minded. The Industrial School for Boys at Waukesha, the Industrial Schools for Girls at Milwaukee and the School for Dependent Children at Sparta all have educational features that in my judgment should be under the supervision of educators, and I recommend that you give the State Superintendent of Public Instruction supervisory power over them.

NATIONAL GUARD

On June 19, 1916, all recognized units of the Wisconsin National Guard, excepting one infantry company, were called into active federal service by the President of the United States. At the present writing about one-third of these troops are still held on the Mexican border for service under federal authority. We have received the assurance many times, through the press and in statements of department commanders and officers of high rank in the regular army, that our people may well be proud of the soldierly qualities of the officers and men of our guard. When the call from the President came for troops they subscribed to the conditions of the federal service without a murmur and rendered the service that has been demanded of them like true soldiers. We may justly feel proud of the history that they have made. Wisconsin citizens have again demonstrated that they are patriotic and at all times ready to make any sacrifice for their country that may be demanded of them. I recommend that proper recognition of the services of our guard be given expression in legislative resolutions.

The National Defense Act, passed by the United States Congress, was made effective June 3, 1916. At the time this call went into effect the total strength of the Wisconsin National Guard, officers and men, was approximately 3,200 and their annual period of field training was seven days. Under the new federal act the proportionate quota of troops required to be organized and trained by the state of Wisconsin is 10,400, the requirement to be fulfilled within approximately four years, and all such troops must annually have not less than fifteen days of field training.

Since the act became a law the strength of the Wisconsin National Guard has been increased to approximately 4,500, officers and men, and must necessarily continue to increase until the full quota is reached.

Under the old organization the annual appropriation necessary to maintain it was $200,000 per year. Owing to the increased number of men, made necessary by the new federal statute, it will be necessary to appropriate $300,000 per year, or $600,000 for the next bi-ennium. When we have mustered in our full quota of 10,400 men it is estimated that the expense will be $600,000 per year. It follows then that our military expenditures will eventually increase $400,000 per year over and above the expenditures that we have been in the habit of making under our former guard organization.

It will be observed that the new federal statute throws a large financial burden for military purposes upon the state. A substantial increase in these expenditures is necessary to make it possible for the state to provide its quota of officers and men to enable the general government to carry out its plan of greater military preparedness, which is a national necessity for purely defensive purposes that should not be longer delayed.

The disposition that the federal law makes of the guard is open to criticism. As the matter stands now the guard, although a state organization, is, in fact, part of the regular army of the United States, subject to the call of the President at any time and for any service. The term of enlistment is three years and three years reserve. No one will be heard to complain about the term of enlistment if the guard will be used as a reserved force at a time of threatened or actual invasion. If, however, it is used for mere police duty the situation is changed and is open to objections. Our own guard, and what I say of our men is true of guardsmen of other states, is composed largely of business men, professional men, skilled mechanics, office men and clerks, all of them regularly employed and are in the main men whose services are important to their business or employers and are, therefore, an important factor in our production. These men are all willing to serve their country in times of war or threatened war. I dare say, however, that few, if any, would wish to enlist as peace soldiers for mere police service. Such service should, in my judgment, be rendered by the regular army and if that force is not

sufficient in strength it should be increased to a force large enough to enable it to render such service as has been rendered by the National Guard on the Mexican frontier.

I recommend that you memorialize Congress to amend the National Defense Act so as to shorten the term of enlistment of the National Guard or restrict its use by the President to such service as will justify him in calling out reserve forces.

THE PROTECTION OF FISH AND GAME

Our fish and game are a natural resource that deserves the attention of the legislature. No state in the union is by nature better adapted for the propagation of fish and such game as has its natural home here than the state of Wisconsin.

The gradual diminution of game birds must be apparent to every observer. Valuable birds such as the prairie chicken and partridge are becoming very scarce, and unless we give them better protection there is great danger that these birds will become entirely exterminated so far as this state is concerned.

There is also a noticeable decrease in the number of deer that are now seen in the woods by hunters as compared with former years. The necessity of better protection admits of no argument. It is, in my judgment, altogether a question of how we should proceed to accomplish it. We cannot hope to preserve our game birds by declaring an open season each year, and throwing the entire state open to the hunters. The control of open seasons, except for migratory birds, should be placed in the hands of the Conservation Commission, in order that it may be regulated with regard for the supply which is frequently affected by weather and other natural conditions. Zones or reservations should be established of suitable size where the shooting of game birds is at all times prohibited. Such a provision should also be made for the protection of deer. In order to carry out this plan I recommend that the income from the sale of fish and game licenses, and whatever other income the commission may have from our wild life, should remain in the state treasury to the credit of the commission as a fund for its use. I recommend, further, that you make an appropriation from this fund sufficient to carry on the work of the commission that the law prescribes, the balance to remain in the treasury to be used for the purpose of estab-

lishing game preserves, and also for the purpose of establishing additional fish hatcheries, and for the purchase of apparatus necessary to successfully carry out the purpose of our fish and game laws. Provision should be made that the surplus funds that accumulate may be expended by the commission, with the consent of the emergency board. In order to increase the income which can be made available for the purpose I have stated, I recommend an increase in non-resident license fee for fishing and hunting, also a reasonable fee for deer tags.

I make this recommendation on the theory that insomuch as the money which is paid into the fund will, under this plan, be used exclusively for the better protection of our wild life, those who hunt and fish will be willing to pay it in order to improve conditions for themselves. If every man who hunts and fishes would be willing to comply with the laws, the protection of our fish and game would be a simple matter. There is, however, an element of men who persist in violating the law whenever an opportunity presents itself. In order to reach that element in a more effective manner, I recommend that there be a substantial increase in the penalties provided for violations and I recommend as an additional penalty that the law provide that in the case of the habitual violator the license to hunt or fish shall be cancelled and that the holder of such license shall not be eligible for another license for that season, or even a longer period. While these penalties may seem drastic, I believe them to be necessary for an effective enforcement of the law. Under present conditions it frequently happens that fish and game are taken out of season or in excessive quantities and disposed of at a price that enables the violator of the law to pay his fine and realize a profit.

The commission should also be authorized to regulate the open season for fishing. The spawning season is not alike in all our lakes and it is generally admitted that in many of our northern lakes the open season comes too early and game fish are taken while on their spawning beds. The commission could manage the open and closed seasons in a scientific manner which, in my judgment, will greatly increase the supply of fish.

Wisconsin is fast becoming the playground for the people of adjoining states. Thousands of visitors are annually coming into our northern woods for their summer vacation. This travel is a source of large income to our people. Therefore, aside from our

own interests, and as a business proposition we should see to it that our lakes remain well stocked with fish in order to make our summer resorts attractive to those who enjoy the sport of fishing.

Our fish and game laws are now administered by a strong commission. I call attention to its annual report and its recommendations, which will be placed before you.

DEVELOPMENT OF NORTHERN WISCONSIN

The problem of attracting settlers to the northern part of our state and of developing its industrial possibilities deserves your attention. The state should give reasonable assistance to any legitimate effort that is calculated to call the attention of home-seekers to the agricultural and industrial advantages of that section. Any reasonable sum of money used by the state in such enterprise will be a profitable investment because of the new property values that the opening of that vast area will place upon the tax roll.

We should not merely attract settlers, but it is of even greater importance that we attract people who are, or will be, good citizens. I consider this feature of our northern development of first importance. The class of citizens best fitted for the task of converting our cut-over timber lands into farms are the young men who have been reared in our western agricultural section, who will understand the task that they undertake in opening up a farm in a timbered section, and in order to bring the agricultural worth of our cut-over lands to the attention of that element, I recommend that you appropriate a reasonable amount of money to the Department of Agriculture to be used in exhibiting the agricultural products of northern Wisconsin to the people in the rural sections of our neighboring states. We may also call the attention of manufacturers to the water powers and other natural resources in that section, with a view of developing industries.

PRIMARY LAW

When the primary election law was adopted it was represented by its friends to be an improved system of making nominations for public office. It has been upon our statute books since 1905, and it must now be admitted that it has had a fair trial. While

the law is in some respects an improvement over the old caucus system, I believe it to be generally conceded that it is unsatisfactory in its present form and should be amended and changed in many respects.

Despite all that has been said against conventions it has been fully demonstrated that there is a strong demand among the people for political gatherings. The fact that every political party of any consequence in the state holds conventions or conferences (which are in effect conventions under another name) is a complete answer to the argument that party conventions are unnecessary or undesirable. Party conventions should be provided for by law to enable members of the parties to meet and agree upon a declaration of principles that the party stands for. The present system of permitting successful candidates to meet after primary and decide upon a platform with which to go to the people for election is wrong in principle and destructive of political parties. Under that system the candidates may promise most anything to the voter before the primary and completely change their political views after the primary, if in their judgment it is necessary to make such changes to meet political conditions.

To present a complete criticism of the primary law and give a full history of its disappointing features would require more space than I can devote to it in this message. In fact, the weak spots in the law are so well understood by the people of our state that an exhaustive analysis seems unnecessary.

I recommend such legislation as will create the legal machinery necessary to call state party conventions, at which the representatives of the party who have been elected by the people at a primary may meet and decide upon the principles that the party shall advocate and stand for, such platform to be accepted and agreed to by the candidates who seek election under the party name.

It is a common practice in this state, under the primary system, that voters under the influence of personal political organizations are prevailed upon to vote for the candidates of an opposing party at the primary for their own political advantage, or, what is still more objectionable, to carry out a trade or agreement for mutual political advantage with some candidate or his representatives. Such practice is political corruption and should be stopped. In order to protect our primaries against such evil in-

fluences I recommend that provisions be made by law that will permit only the adherents of a party to vote its ticket at a primary election.

The primary law, insofar as it relates to the selection of candidates for public office, was adopted by a vote of the people. Any attempt to repeal it should be referred to the people for their decision.

TENURE OF OFFICE OF THE GOVERNOR AND SHORT BALLOT

In view of the fact that I am now serving my second term as governor of this state, I feel safe in making recommendations affecting the tenure of office of the governor and other constitutional officers without laying myself open to the criticism by my political opponents that I am making a recommendation that might affect my own term.

I believe it to be clearly in the interest of the people that the term of office of the governor be four years instead of two years, as the constitution now provides. I also recommend that the secretary of state, state treasurer and attorney general, who should constitute the governor's cabinet, be appointed by him instead of elected as the law now provides. Under our present system of biennial elections, the governor and the officers whom I have named are obliged to devote too much time to politics.

The needs of our state government may be compared with those of a large business. It is not engaged in money making, but has all the functions to perform that come to a well organized people's government. The governor is the responsible head and the people will do well for themselves if they will give him an opportunity to study, without interruption, the details of government, and make such improvements in the interest of efficiency and economy as any good governor will wish to make if he is given the time that he needs to make the necessary investigations. Under our present system he must, within ten days after he is inaugurated, send a message to the legislature which should give detailed information and well thought out recommendations concerning all state institutions, and for such other legislation as may promote the welfare of the people.

If he desires to be re-elected, he must devote practically the entire second year of his term to his campaign. This necessi-

tates long periods of absence from his office. In fact, it makes it impossible for him to give the attention to the state's affairs that he should. Furthermore, the expense connected with the campaigns is too great—in fact much greater than the salary which the office pays justifies. This feature I regard as of special importance to the people for the following reason: Under the primary system it is necessary for the candidate for governor to make a state-wide campaign for his nomination. If he is nominated he must again make a state-wide campaign for his election. The law permits him to spend $5,000 for the two campaigns, which is a small amount when we consider the fact that we have 700,000 men in the state who are qualified voters. A poor man will be unable to meet these campaign expenditures with his salary and have anything left for his living expenses. The result is, that he cannot aspire to the office unless he is willing to accept campaign contributions, which no governor should do. The office is of great importance to the people and its incumbent should at all times be in position to serve the people. In order to do this he must be free from any and all political obligations, particularly such obligations as might be incurred by accepting campaign contributions.

The time that it requires to make the campaign and the money which it costs, which in many cases must be a hardship, could be saved if the governor were permitted to serve four years instead of two, as the constitution now provides. The people are amply protected against a dishonest or, for that matter, an incompetent man who may at some time get the office. If he does not serve the public faithfully there is provision made for his removal from office by impeachment proceedings.

The argument which I have presented here in favor of a four year term for the governor applies with equal force to the secretary of state, the state treasurer and the attorney general. Furthermore, these officers come to the capitol as part of the state administration, of which the governor is the responsible head. They should be the governor's advisors and should, therefore, represent the same political views as the governor. It is decidedly injurious to the state government and, therefore, a loss to the people if any of the departments are opposed to the governor's policies and engage in political schemes to make his administra-

tion unpopular with the people. There is nothing helpful or constructive in that kind of a situation.

I might set forth many other reasons, if time and space would permit, which I regard as strong arguments for the proposition that the secretary of state, state treasurer and attorney general should be appointed by the governor instead of elected and that their term of office should be the same as that of the governor.

I recommend that you pass such resolutions as are necessary for the next legislature to act upon to so amend the state constitution as to extend the term of office of the governor from two to four years and to make the offices of secretary of state, state treasurer, and attorney general appointive, such appointments to be made by the governor for a period that will correspond with his own term of office.

LOBBYING

During the session two years ago there was a pernicious lobby present that interfered with the work of the legislature. It is every citizen's privilege to come before your committees to be heard upon any subject in which he is personally interested. It is, also, every citizen's privilege to be represented by counsel. The law recognizes this right and if properly exercised there can be no objection. In fact, it is in many respects desirable because it is well for the legislature to know in advance what effect laws that are proposed will have upon the people. It is not that class of lobbying that I refer to when I speak of a pernicious lobby. It is the lobbying carried on by men who are open for hire for any cause and who attempt to lead members into combinations to prevent wholesome legislation for the people, unless their own demand is submitted too. I warn you, members, against such influences, and I will make the statement now in order that all may understand it, that I shall use all the powers of my office to resist such influences and punish the guilty parties of the unlawful methods that were employed two years ago are again attempted.

SHORT SESSION

Finally, I wish to remind you that it is the desire of the people of the state of Wisconsin that your body and the governor pro-

tect them against reckless extravagance and that we will not increase the burden of taxation beyond what it is necessary to do to give the people an efficient government. I also hope that you will be impressed with the suggestion that you so arrange your work that you will be able to adjourn at an early date and in that manner comply with the general public demand for a short session. The legislative budgets have been thoroughly investigated and carefully prepared and you should be able to dispose of them without undue delay.

Two years ago much delay was caused by factional interests and political scheming. I hope this will not re-occur. I have no personal political interest that I ask you to concur in or give me assistance. I am serving as governor for all the people and I ask only such legislation as is in their interest. There should be no serious disagreement over the question of policy if we have only the state's interest in mind and I hope, therefore, that small politics will have no place in your deliberations.

I shall at some future date address you on the subject of further consolidations of the work of state commissions. Also better regulation of the liquor traffic.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint George J. Weigle, of Milwaukee, Wisconsin, to be Dairy and Food Commissioner, for the term ending on the first Monday in February, 1919.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, January 19, 1917. *Governor.*

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint Henry R. Trumbower, of Madison, Wisconsin, to be a member of the Railroad Commission of Wisconsin for the term ending on the first Monday in February, 1923.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated January 19, 1917. *Governor.*

To the Honorable, the Legislature:

This is to formally notify you that pursuant to the statute governing, I have this day appointed the following members of the senate and assembly to constitute the visiting committee:

From the senate:

Eugene F. Clark, of Galesville,
W. W. Albers, of Wausau.

From the asesmbly:

W. L. Smith, of Neillsville,
R. S. Young, of Darien,
Fred Hess, of Waupaca,
Henry J. Janssen, of West DePere.

The commissions of the members of this committee have been transmitted to the sergeant-at-arms of the senate and assembly.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, January 26, 1917.

To the Honorable, the Senate:

A vacancy having occurred in the membership of the Tax Commission by the resignation of Thomas S. Adams, I did, pursuant to the statutes governing, on the 10th day of November, 1915, the legislature not then being in session, appoint Carroll Atwood, of Milwaukee, to fill such vacancy for the unexpired portion of the term ending on the first Monday in May, 1919, subject to confirmation by the senate.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, January 30, 1917.

To the Honorable, the Senate:

Pursuant to the statutes governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Fred Pabst, of Oconomowoc, Wisconsin, to be a member of the State Highway Commission, for the term ending on the first Monday in February, 1923.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, January 31, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

C. W. Harvey, of Beaver Dam, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1921.

G. N. Mihills, of Fond du Lac, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1921.

H. L. Griswold, of West Salem, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1921.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, February 1, 1917. *Governor.*

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Dr. C. A. Richards, of Rhinelander, Wisconsin, to be a member of the State Board of Health and Vital Statistics, for the term ending on the first Monday in February, 1924.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, February 13, 1917. *Governor.*

To the Honorable, the Legislature:

I herewith return bill No. 416, A., without my approval. This bill authorizes county boards to appropriate to a private person or corporation not to exceed five hundred dollars to aid in the construction or operation of a ferry located in the county making the appropriation. It also legalizes any appropriation heretofore made for any such purpose.

The supreme court of this state early laid down the just principle, that the legislature could not raise money, or authorize it to be raised, by taxation, for the purpose of donating it to a private person or corporation. Money can be raised by taxation for public purposes only.

As was said by Chief Justic Ryan in *Attorney vs. Eau Claire,* 37 Wis. 436. "The legislature can delegate the power to tax to municipal corporations for public purposes only; and the va-

lidity of the delegation rests on the public purpose. Were this otherwise municipal taxation might well become municipal plunder."

An act of the legislature of 1867, which authorized Fond du Lac county to donate money to the Sheboygan and Fond du Lac Railroad Company to aid in building a railroad from Fond du Lac to Ripon, was held unconstitutional.

Whiting vs. Sheboygan and Fond du Lac Railroad Company, 25 Wis. 167.

Another act of the same legislature, authorizing the town of Jefferson, in Jefferosn county, to raise five thousand dollars to aid in the erection of buildings for the Jefferson Liberal Institute, a private educational institution, was held unconstitutional.

Curtis vs. Whipple, 24 Wis. 350.

The action of the county board of Douglas county, in deeding to the Northern Pacific Railroad Company certain lands belonging to the county upon condition that the railroad company build a line of road into said county, was held void.

Ellis vs. Northern Pacific Railroad Company, 77 Wis. 114.

An act of the legislature of 1895, providing that habitual drunkards might be sent to some institute for the cure of drunkards and treated there at the expense of the county of which the drunkard was a resident, was held unconstitutional.

Wisconsin Keeley Institute Company vs. Milwaukee County, 95 Wis. 153.

And a subsequent act of the legislature appropriating state funds to pay innocent purchasers of county orders issued to such institution in payment of treatment of drunkards was held unconstitutional.

State ex rel. Garrett vs. Froehlich, 118 Wis. 129.

If the legislature cannot authorize the county board to appropriate money for this purpose, it cannot legalize appropriations heretofore made.

Under the foregoing authorities, I am clearly of the opinion that bill No. 416, A., is unconstitutional and for that reason I return the same without my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated at Madison, Wisconsin,
April 4, 1917. 9:55 A. M.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint L. Albert Karel, of Kewaunee, Wisconsin, to be a member of the State Board of Public Affairs, for the term ending February 1st, 1919.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated April 4, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint George B. Hudnall, of Superior, Wisconsin, to be a member of the State Board of Public Affairs, for the term ending February 1st, 1919.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated April 4, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint George A. West, of Milwaukee, Wisconsin, to be a member of the State Board of Public Affairs, for the term ending February 1st, 1919.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated April 4, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

B. N. Moran, of Rhinelander, Wisconsin, to be State Supervisor of Inspectors of Illuminating Oils, for the term ending on April 1st, 1919.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, April 26, 1917.

To the Honorable, the Senate:

I herewith return, without my approval, Bill No. 327, S.

This bill provides that it shall be unlawful for any pupil attending any public school in the city of Milwaukee to join any fraternity or sorority, except such as are sanctioned by the school board. It then provides that any pupil who does join any fraternity or sorority not so sanctioned may be dismissed or suspended from school, or prevented from graduating or participating in school honors.

The foregoing provisions of the bill I find no serious fault with. However, in addition to the foregoing provisions the bill also provides that any pupil who shall join any such fraternity or sorority "is hereby declared to be a delinquent child and may be proceeded against and dealt with accordingly under the laws of this state concerning delinquent children."

It also provides that any person who shall cause, solicit, induce or encourage any such pupil to join any such fraternity or sorority "shall be deemed guilty of violating the laws of this state concerning persons who cause, encourage or contribute to the delinquency of children and shall be proceeded against under such laws and will be dealt with accordingly."

In my judgment a pupil has been sufficiently punished for joining a fraternity or sorority when he has been dismissed or suspended from school. But this bill goes farther and punishes such pupil as a delinquent child.

Under the laws of this state, section 573—6, a delinquent child is taken before the juvenile court and a finding there made and entered by the clerk that such child is delinquent. Whereupon the court may commit the child to the care of a probation officer until, if a girl, she has reached the age of eighteen years and, if a boy, the age of seventeen years; except that if a girl is between the ages of seventeen and eighteen, or a boy is between the ages of sixteen and seventeen, they are to continue in charge of the probation officer for one year; or the court may cause the child to be placed in a suitable home, other than its own, subject to the supervision of the probation officer; or the court may commit the child, if a boy, to the Industrial School for Boys, or if a girl, to the Industrial School for Girls; or the court may commit the child to the care and custody of some association or institution that will receive it, embracing in its objects the care of neglected, dependent or delinquent children.

The provision of the bill which declares the pupil to be a delinquent and punishes him accordingly gives the child a prison record and a reputation through life which, in my judgment, he does not deserve for the offense committed. To join a fraternity or sorority in any other educational institution in the state is not prohibited, but, on the other hand, is encouraged by many of them. To say by law that the joining of a fraternity or sorority in Milwaukee is a crime for which a boy or girl may be taken from their parents and placed in a penal institution, thereby marring his or her entire future career, is a proposition so abhorrent to me that I cannot conscientiously give my approval to a bill which would impose it.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, May 2, 1917.

To the Honorable, the Senate:

I herewith return bill No. 367, S., without my approval.

As the law now stands the Secretary of State is required to transmit, on April first of each year, to the County Clerk, Sheriff and Chief of Police in each city in the state and to every Village Clerk making application therefor, a list of all registrations of automobiles, motor cycles and other motor vehicles from January first up to that date, and, during the months of June, August, October and November of each year he is required to transmit supplementary lists to these same officials. The cost of printing these lists in 1916 amounted to $2,051.47.

Under this bill, should it become a law, "the state printing board may provide for more frequent service and distribution of such registry lists by contract or otherwise as the best interests of the state and the most reliable and frequent distribution of such lists requires, at a cost not to exceed fifty-five dollars per thousand licenses registered and distributed."

The Constitution, section 25 of Article IV, provides that the legislature shall provide by law that all printing done for the state "shall be let by contract to the lowest bidder," and yet this bill provides that the printing done under its provisions may be done "by contract or otherwise, as the best interests of the state and the most reliable and frequent distribution of such lists require."

No such power rests with the legislature. Public printing done for the state must be done by contract and the legislature has no power to enact a law which provides that it may be done otherwise than by contract, even though the best interests of the state may, in its opinion, so require.

I am advised by the state printer that if in the future no more licenses were issued and no more frequent distributions made than were made last year, the cost thereof at fifty-five dollars per thousand, the maximum limit imposed in the bill, would be $6,930.00, or an increase over last year of $4,878.53. This fact demonstrates the wisdom of the constitutional provision. Under the bill there is no limit placed upon the "more frequent service and distribution of such registry lists." It would be possible under the provisions of the bill to have them published and distributed daily, which, of course, would also enormously enhance the present cost of printing and distribution.

Present conditions demand that we practice every possible economy in the administration of state government, and I shall not agree to any expenditures that can be avoided without serious injury to the state service.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated May 4, 1917.

To the Honorable, the Assembly:

I herewith return, without my approval, bill No. 442, A.

Under the present law, the charge for examinations, views, fees, appraisals, commissions, renewals and charges of all kinds and descriptions in procuring, making and transacting of business connected with loans secured by chattel mortgages, bills of sale, pledges, receipts or other evidences of debt upon chattel goods or property, or by assignment of wages, is four per cent per annum on the original sum actually loaned for the time of the loan, on sums of over one hundred dollars, and seven per cent per annum on the original sum actually loaned for the time of such loan, on sums of one hundred dollars or less.

This bill, if it becomes a law, would permit a charge for these purposes of only four per cent per annum upon the original sum actually loaned for the time of the loan, on all sums loaned, whether over or under one hundred dollars.

I am advised that there is only one concern in the state that makes any extensive loans on this kind of security, to-wit: The Provident Loan Society of Milwaukee. This company is organized with eighty thousand dollars capital, and I am advised that it has not paid its stockholders dividends averaging more than four per cent per annum during the time it has been organized. If this bill were to become a law, it would reduce the net earnings of this company approximately fifty per cent and in the future the stockholders would receive not to exceed two per cent per annum in dividends.

The amount received for making these examinations, etc., is entirely absorbed in making the examinations, and this class of loans cannot, of course, safely be made without the examinations.

The Provident Loan Society has been helpful in protecting people who have to borrow money on collateral of doubtful value against exorbitant fees and charges, amounting in many cases to twenty-five per cent and upwards on the sum loaned.

In my judgment, organizations of the type of the Provident Loan Society could not longer exist if the possible return upon their investment is reduced below four per cent per annum.

In order to safeguard the interests of those who must of necessity borrow small sums of money upon furniture and similar security, and to protect them against exorbitant interest and commission charges made by private money lenders, I deem it my duty to withhold my approval of this bill.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, May 11, 1917.

MEMORANDUM ATTACHED TO BILL No. 34, A.

I am somewhat reluctant to give my consent to this bill, No. 34, A.

Chapter 375 of the Laws of 1903 empowered cities of the first class to engage in supplying fuel to its citizens. Chapter 289 of the Laws of 1913 (now section 959—116 of the Statutes) authorizes and empowers cities of the first class to manufacture and sell ice.

Milwaukee, the only city to which these acts applied, has never engaged in either of these enterprises, and, therefore, the constitu-

tionality of the above acts have never been decided by the courts of this state.

The Supreme Court of Georgia in 1910, in the case of *Holton vs. Camilla,* 134 Ga. 560, held that an act of the legislature of that state authorizing the city of Camilla to own and operate an ice plant and sell its products was constitutional.

On the other hand the Supreme Court of Louisiana in 1914, in the case of *Union Ice & Coal Company vs. the Town of Ruston,* 135 La. 898, held that an act of the legislature of that state authorizing cities to own ice plants and sell its inhabitants ice was unconstitutional, and refused to follow the Georgia case.

The late Justice Timlin of our own Supreme Court, in the case of *State ex rel. Mueller vs. Thompson,* 145 Wis. 488, in which the validity of an ordinance, proposed under the so-called "Home Rule Act," authorizing the city of Milwaukee to engage in the ice business, was before the court for decision, said in reply to the argument that the furnishing of ice was a "municipal affair"; "It was said by counsel in argument that the furnishing of water by a city to its inhabitants is a municipal affair; that ice is but frozen water; hence the furnishing of ice must be a municipal affair. But things which are similar from a physical or chemical viewpoint, may be dissimilar from the legal viewpoint; under a statute authorizing a city to buy coal it probably could not buy diamonds, although it is said they are chemically identical. Neither is atmospheric gas passed through a varying aperture and articulated by varying contracts always equivalent to argument. The difference between the collection and distribution of water mains of pipes laid in the streets and the manufacture, sale and distribution of ice is that the first is in the nature of a monopoly, while the second is a competitive business enterprise. The first does not depend so largely upon skill in management."

The court did not in this case decide whether the ordinance if passed would be constitutional or not, but held that the "home rule" act under which the ordinance was proposed, was unconstitutional.

Regarding municipalities engaged in the coal business the Justice of the Supreme Court of Massachusetts twice advised the legislature of the state that it would not constitutionally authorize local municipalities to engage therein. 155 Mass. 601; 182 Mass. 605.

The Supreme Court of Michigan also held, in *Baker vs. Grand Rapids,* 142 Mich. 687, that the buying and selling of coal was not

a public purpose and, therefore, the legislature could not legally authorize a city to engage in it."

On the other hand, the Supreme Court of Maine, in *Laughlin vs. Portland,* 111 Me. 486, held that the buying and selling of fuel was a public purpose and, therefore, an act authorizing cities of that state to engage therein was constitutional.

In view of these conflicting decisions of Supreme Courts of other states and there being no decisions of our own Supreme Court squarely on the subject, and as this bill only adds to the class of cities which may engage in the ice and fuel business, I have thought it the best and wisest course to pursue to sign the bill and leave its constitutionality to the courts to determine.

(Signed) EMANUEL L. PHILIPP,

May 14, 1917. *Governor.*

MEMORANDUM ATTACHED TO BILL No. 141, S.

I have approved Bill No. 141, S. The general principles embodied in this bill meet with my approval, but in my opinion there should be some amendments made to the act at this session of the legislature. The amendments, which in my opinion ought to be made, are the following:

The bill provides that parents, guardians or curators must give their consent to a license being granted to males between the ages of eighteen years and twenty-one years, and females between the ages of fifteen and eighteen years. There are no such persons in this state as curators. Therefore, I suggest that the word "curators" be eliminated from the bill.

Section 2339n—5 of the bill provides for the consent of parents or guardians when the parties to the proposed marriage are within certain ages. As these ages, in the case of females, do not coincide with the age of legal majority, there might be confusion as the law now stands, as to the meaning of the expression "age of legal majority" and "minor or minors." I would suggest that such changes be made in the bill as will remove this confusion.

The bill provides that "any person" may file a petition with the county court asking that the license be not granted. This in my opinion is too broad. No person except a parent, a near relative or a guardian should have the legal right to file objections to the license being granted. If the words "any person" are retained, it would, in my opinion, afford meddlesome and other persons, for mercenary or other unworthy motives, an opportunity

to file objections, which ought not to be permitted. I suggest that the words "any person" be stricken out of section 2339n—6, and the words "any parent, grandparent, brother, sister or guardian of the applicants for such license" be inserted.

The bill provides that the county court, upon objection being filed, shall serve notice forthwith upon the applicants for such license. One or both of the applicants may be non-residents of the state, and, therefore, it would be impossible to serve notice upon them. I would suggest that the act be so amended as to provide that notice be served upon one or both applicants if residents of this state, but if both or either of said applicants are non-residents of the state, then service should be made by publication or posting.

The act provides that if, upon hearing, the objections be sustained, the court shall make an order refusing the license. I would suggest that this language be so changed as to make it clear that the court cannot sustain the objections unless it be for fraud or some of the legal grounds which would make the parties incompetent to marry.

Section 2339n—18 of the bill provides that any person who shall neglect or refuse to transmit the triplicate certificate of any marriage to the local registrar of vital statistics, shall be fined not less than twenty nor more than two hundred dollars. This neglect may be entirely innocent and unintentional, and to impose a fine of not less than twenty dollars for such failure would, in my opinion, be altogether too harsh. I would suggest that the words "not less than twenty dollars nor more than two hundred dollars" be stricken out, and the words "not more than two hundred dollars" be inserted in lieu thereof.

Section 2339n—19 of the bill provides that any county clerk who shall refuse or neglect to enter upon the marriage license docket any license immediately after the same shall have been issued, shall be fined fifty dollars. Here also the neglect may be entirely innocent and unintentional, and to fine the clerk fifty dollars would, in my opinion, be too severe. I suggest that the words "of fifty dollars" be stricken out, and the words "not to exceed fifty dollars" be inserted in lieu thereof.

I have had a bill prepared embodying these amendments which will be presented to the legislature, and I sincerely hope that the same may be passed at this session.

EMANUEL L. PHILIPP,

Dated, May 14, 1917. *Governor.*

EXECUTIVE COMMUNICATION.

To the Honorable, the Legislature:

I herewith return, without my approval, bill No. 482, A. This bill authorizes any city in the state to buy and sell to the inhabitants of such city, any of the common necessities of life.

The legislature has no constitutional authority to grant such power to cities; neither have the cities the constitutional authority to engage in such business, because the business is not public in the constitutional sense, neither is it one of the functions of government to engage in such business.

As was said by the Supreme Court of Massachusetts, in 155 Mass. 601, "If such a business is to be carried on, it must be with money raised by taxation. It is settled that the legislature can authorize a city or town to tax its inhabitants only for public purposes. This is not only the law of this commonwealth, but of the states generally and of the United States.

"There are nowhere in the constitution any provisions which tend to show that the government was established for the purpose of carrying on the buying and selling of such merchandise as, at the time when the constitution was adopted, was usually bought and sold by individuals, and with which individuals were able to supply the community, no matter how essential the business might be to the welfare of the inhabitants. The object of the constitution was to protect individuals in their rights to carry on the customary business of life, rather than to authorize the commonwealth, or towns, or parishes, or precincts, or other bodies politic, to undertake what had usually been left to the private enterprise of individuals."

Chief Justice Ryan of our own court, in *Attorney-General vs. Eau Claire*, 37 Wis. 436, said: "The legislature can delegate the power to tax to municipal corporations for public purposes only; and the validity of the delegation rests on the public purposes. Were this otherwise, municipal taxation might well become municipal plunder."

It is true as was said by the Supreme Court of Maine, in *Laughlin vs. Portland,* 111 Me. 486: "The courts have never attempted to lay down with minute detail and inexorable rule distinguishing public from private purposes, because it would be impossible to do so. Times change. The wants and necessities of the people change. The opportunity to satisfy those wants and

necessities by individual effort may vary. What was clearly a public use a century ago, may, because of changed conditions, have ceased to be such today.

"On the other hand, what could not be deemed a public use a century ago may, because of changed economic and industrial conditions, be such today."

All courts of this country are agreed that for a municipality to engage in a general mercantile business would not be a public purpose, and therefore unconstitutional.

The Supreme Court of Maine, which sustained an act authorizing cities to engage in the ice business, said, in an opinion in that case: *Laughlin vs. Portland* supra "Taxes cannot be imposed to aid a private enterprise and a municipality cannot assist individuals or corporations to establish or carry on such business, either directly or indirectly, *nor can it engage in such business itself.*"

The Supreme Court of Maine also, in 58 Me. 590, said that "the less the state interferes with industry, the less it directs and selects the channels of enterprise, the better. There is no safer rule than to leave to individuals the management of their own affairs. Every individual knows best where to direct his labor, every capitalist where to invest his capital. If it were not so, as a general rule, guardians should be appointed and who would guard the guardians?

"To give the power suggested would be to enable the majority, according to their own will and pleasure, to give, lend and invest the capital of others, and to the extent of the power exercised, it would be to deprive the owners of the ability to give, lend or invest their own funds. Let this be done, and the remaining rights of property would be hardly worth the preserving.

"To do this would be to impair or take away the inherent and inalienable right of 'acquiring, possessing and protecting property'; to deprive men of their property neither 'by the judgment of their peers' nor 'by the law of the land'; to take private property not for public but for private uses without compensation and to undermine the very foundations upon which all good government rests."

The Supreme Court of Michigan, in *People ex rel. Detroit & H. R. Co., vs. Salem,* 20 Mich. 452, said: "Certain things of absolute necessity to civilized society, the state is precluded, either

by express constitutional provision or by necessary implication, from providing for at all; and they are left wholly to the fostering care of private enterprise and private liberality.

"By common consent, a large portion of the most urgent needs of society are relegated exclusively to the law of demand and supply. It is this in its natural operation, and without the interference of the government, that gives us the proper proportion of tillers of the soil, artisans, manufacturers, merchants and professional men, and that determines when and where they shall give to society the benefit of their particular services. However great the need in the direction of any particular calling, interference of the government is not tolerated, because, though it might be supplying a public want, it is considered as invading the domain that belongs exclusively to private inclination and enterprise. We perceive, therefore, that the term 'public purpose' as employed to denote the objects for which taxes may be levied, has no relation to the urgency of the public need or to the extent of the public benefit which is to follow. It is, on the other hand, merely a term of classification to distinguish the object for which the government is to provide, from those which are left to private inclination, interest or liberality."

The Supreme Court of the United States, in *Citizens' Saving and Loan Ass'n., vs. Topeka,* 20 Wallace 655, said, "None of the purposes for which cities and towns have been authorized to raise money has included anything in the nature of what is commonly called trade or commercial business."

The Supreme Court of Massachusetts, in 182 Mass. 602, said, "Until within a few years, it generally has been conceded not only that it would not be a public use of money for the government to expend it in the establishment of stores, and shops for the purpose of carrying on a business of manufacturing or selling goods in competition with individuals, but also that it would be a perversion of the function of government for the state to enter as a competitor into the field of industrial enterprise with a view either to the profit that could be made through the income to be derived from the business, or to the indirect gain that might result to the purchasers if prices were reduced by governmental competition.

There may be some now who believe it would be well if business was conducted by the people collectively, living as a com-

munity and represented by the government, in the management of ordinary industrial affairs. But nobody contends that such a system is possible under our constitution. It is plain, however, that taxation of the people to establish a city or a town in the proprietorship of an ordinary mercantile or manufacturing business would be a long step towards it. If the business of furnishing provisions and clothing and other necessaries of life, were taken up by the government, men who now earn a livelihood as proprietors would be driven out of business, and would be forced to work as employes in stores and shops conducted by the public authorities."

The Supreme Court of South Carolina, in *McCullough vs. Brown,* 41 S. C. 220, said, "It seems to us clear that any act of the legislature which is designed to, or has the effect of, embarking the state in any trade which involves the purchase and sale of any article of commerce, is outside and altogether beyond the legislative power conferred upon the general assembly by the constitution, even though there may be no express provision in the constitution forbidding such an exercise of legislative power. Trade is not and cannot properly be regarded as one of the functions of government. On the contrary, its function is to protect the citizen in the exercise of any lawful employment, the right to which is guaranteed to citizens by the terms of the constitution and certainly has never been delegated to any department of the government."

The Supreme Court of Louisiana, in *Union Ice and Coal Co. vs. Ruston,* 135 La. 989, said, "The fact that shoes and ready-made clothing could be manufactured more cheaply by the municipality in connection with its public utilities, would not justify the town in going into the shoes and clothes business."

There is no authority in this country contrary to the expression of the courts in the foregoing cases. It is universally conceded that municipalities cannot engage in business such as this bill contemplates, neither does it change the situation to say that the city shall not engage in it for profit.

I am so clearly of the opinion that the bill is unconstitutional, that I cannot give it my approval.

Respectfully submitted:

EMANUEL L. PHILIPP,

Dated Madison, Wisconsin, May 15th, 1917. *Governor.*

To the Honorable, the Legislature:

Bill No. 57, A., popularly known as the "liquor referendum bill" is before me for approval. I have given its provisions careful consideration and take this means of advising you that I cannot agree to all of its provisions.

Before discussing my objections to some of the prohibitions that are incorporated in the bill I wish to make a brief statement with reference to my position upon the question of referendum.

Generally speaking I am opposed to submitting legislation to the people for their adoption. The system is not practical because several propositions can be embodied in one bill. The people cannot amend it or change it and, in the end, the bill will either be adopted or fail upon the main questions contained therein. It may at the same time contain minor provisions that are objectionable but are carried through by the larger interests.

Furthermore, in 1914, the question of an amendment to the constitution providing for the initiative and referendum was before the people. It was thoroughly discussed and was voted down by a vote of 143,000 against 81,555 in favor of the proposition. I opposed the system at that time and I have had no occasion to change my mind, as I still firmly maintain that this is a representative form of government and those who are selected to represent the people in the Legislature should legislate for them, rather than to pass that duty to the people themselves.

However, to be entirely fair with the bill before us, and to give its friends an opportunity to submit it to the vote of the people, I will waive my objection to the referendum generally and will approve of bill No. 57, A., if certain objectionable features that I feel that I ought not agree to are eliminated.

By paragraph (b) of subsection 1 of section 1569m, as proposed by the bill, the manufacture of liquor in this state is prohibited, although it is intended to be sold in another state or country where the law permits of its sale. Not only is the manufacture prohibited, but, by paragraph (c), no person in this state is permitted to sell or have in his possession for sale any liquor, although it is for consumption in another state or country, where the law permits of its use.

I maintain that these provisions go farther than it is necessary to establish prohibition in the state of Wisconsin. We must

not lose sight of the fact that vast sums of money have been invested in property in this state that is used in the manufacture of liquor, the larger part of which is shipped out of the state for consumption in other states and in other countries. The brewing industry alone in this state represents an investment of approximately $54,000,000.00. I have no figures available to show the investments in distilleries, but no doubt they are large also.

These properties have been built up under sanction of the law and it seems only fair and equitable that the manufacture for shipment out of the state shall be permitted to continue, even though the state adopts the bill before us, which is an absolutely "bone dry" law.

No one will urge successfully that the closing of these institutions in the state of Wisconsin will reduce or in any way minimize the consumption of liquor in other states or other countries where the sale is not forbidden. It means simply this, that these products, if not manufactured in Wisconsin, will be manufactured elsewhere and the state of Wisconsin and its citizens who are interested in the traffic will lose their investments, without helping the cause of temperance or prohibition anywhere.

There is another phase of this question which we must consider. The beer brewing and distilling interests of the state employ approximately 15,000 people, directly or indirectly.

The men thus employed are receiving good wages. The industry is thoroughly unionized and the working conditions, I am told, are the best for the men that have thus far been obtained in any of the industries of the state. These men protest against the destruction of their employment, and in view of the present high cost of living and the possible difficulties in securing remunerative employment as we become further involved in war presents a serious question, and one which you, Gentlemen of the Legislature, must take into account.

I wish to ask the question: What assurance can you give 15,000 workingmen, whose wages are now secured by contract, that they shall have renumerative employment after these industries are closed?

Insomuch as the continuance of these industries for the purpose of manufacturing for people beyond the borders of the state of Wisconsin cannot and does not enter into the question of prohibition in this state, the confiscation of this property and the

taking away of this employment must be considered nothing more nor less than the exercise of an arbitrary power by the state without cause or reason, because the production is not for our consumption and, therefore, does not enter the lives of our own people; nor will it reduce the consumption of liquor in other sections where the sale is permitted.

There is another aspect of this proposition that we must not lose sight of. The liquor manufacturing institutions of the state are among our largest taxpayers. If we close the doors of these institutions they become practically worthless and the citizens will be called upon to pay many hundreds of thousands of dollars in taxes that are now being paid by the brewers and distillers. The income tax which these people pay would be entirely lost to the state, which last year amounted to approximately $250,000.00, nearly all of which can be saved if we will permit them to manufacture and ship out of the state, even though we forbid the sale of their product in the state. I submit that this is not a good time to needlessly reduce the taxable property of the state.

Briefly stated, then, the argument that I present to you against this provision in the bill is this:

> If adopted by the people it will, without aiding the cause of temperance, destroy millions of dollars of property in the state of Wisconsin;
>
> It will throw approximately 15,000 men out of employment;
>
> It will lose to the state many hundreds of thousands of dollars in taxes.

I am sure that this situation will appeal to the people of the state of Wisconsin. I have faith in their business judgment and their sense of fairness and justice. I know that they do not wish to harm citizens needlessly, and the friends of the bill will surely not maintain that it would be weakened before the people with these provisions eliminated.

Under these same provisions of the bill if a farmer manufactures a keg of cider, or wine made of wild grapes, currants, or other fruits for his own use, as is the custom among our farmer folk, he would be permitted to keep it only for his personal consumption. If he gives any of it to any member of his family

or serves it on his table to his friends or guests he would make himself liable to the penalties of the law.

I shall not believe that the friends of practical temperance wish to carry prohibition thus far. Regulative measures such as the bill we have before us should go no farther in interfering with the habits of the people than is necessary to protect them against the evil results that follow the use of an article, which in this case is intoxicating liquor. The manufacture of wine for his own use and that of his family has been a long established custom among the farmers of Wisconsin. No one has been heard to complain that it has ever produced drunkenness or any evil results against which the state should take drastic action. It seems to me that it is a privilege that belongs to him who tills the soil, if he wishes to exercise it. It is his own product and it would indeed be an awkward situation if we by law create a situation in this state under which a farmer who makes a keg of cider or a keg of wild grape wine cannot share it with his family, but must consume it all himself.

You will readily observe that you are not forbidding the manufacture of the product. You are merely confining its use to the individual who actually manufactures it. The bill should be corrected so as to rid the proposed law of such a farcical provision.

I ask you to recall the bill promptly and change its provisions so that, if it be adopted, liquor may still be manufactured in the state of Wisconsin, to be shipped to other states and countries, and also amend it so that the farmers of the state may make wine from the fruits that grow in the state, for their own consumption, merely forbidding the sale of the same, but in no wise attempting to regulate the use of it in their own homes. Unless these suggestions are complied with I feel compelled to return the bill to you without my approval.

I also have a suggestion to make to you, which, however, I shall not insist upon, with reference to the date on which the bill shall be submitted to a vote of the people.

Our country is in a state of war and the thoughts of our people are occupied almost entirely with the war and its possible consequence. It is, therefore, not a good time to submit a question to the vote of the people, which may be affected by irritations that are caused by questions that have no direct connection with the

liquor traffic, but will, nevertheless, have a bearing upon the attitude of the people toward it.

It must appeal to all fair-minded men that we should have an unprejudiced vote upon a question that so vitally affects the personal privilege of our citizens. It would seem to me that inasmuch as the proposed law does not go into effect until July, 1920, that the bill should be submitted to the people either at the first general election after the conclusion of peace with Germany or at the spring election of 1920, if a definite date is desired.

I suggest this change because I entertain the hope that before another year passes by, peace will be restored. If not then, surely before 1920. The people will then be in a frame of mind to give the question the consideration that it deserves and it will have the further advantage that our soldier boys who will soon be called to cross the sea will have returned and be able to participate in the election and register their will upon this question.

The argument that the next legislature might repeal this bill should receive no serious consideration. If it is the will of the people of Wisconsin that the sale of liquor be prohibited, I am sure that the bill will be entirely safe at the hands of the next legislature. The majority of the people have a right to make the rule with reference to the liquor traffic and there is no reason to believe that a minority can at any time successfully prevent it.

I again call your attention to the fact that you are enacting no new legislation covering the period up to the time that this bill can go into effect if it is adopted. It seems to me that if there is a time when we need better regulation it is now and during the period of the war. I will approve any practical measure that you will adopt now that will curtail the use of alcohol. I will do this in the interest of conservation of food and the health and morals of the people.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated May 17, 1917.

To the Honorable, the Legislature:

I return herewith bill No. 57, A., without my approval.

On May seventeenth I addressed a message to you, giving my objections to this bill and suggesting that you make certain changes which I believed it to be my duty to insist upon. The

changes which I suggested would in no way have affected the successful administration of a prohibition law, if the people saw fit to adopt this bill which was to be submitted to them for their approval.

I asked that the manufacture of liquor be permitted to continue in the state of Wisconsin, not for local consumption, but for shipment into other states and countries, where the sale of the same is permitted. I also asked that individuals be permitted to make wine or cider of their own products, and that the law go no farther than to forbid the sale of the same and not attempt to regulate the use of it in the household of the person who manufactured it.

I hold these privileges to be fair and just, and that the arbitrary destruction of millions of dollars worth of property, without good cause, and the curtailment of an individual's personal privileges in his home, to the extent that this bill attempts to regulate them, is unfair, unjust and vindictive.

I am also unwilling to agree to a statute that will throw approximately fifteen thousand men out of employment, if their employment is of such a nature that it does not conflict with our own laws and regulations concerning the liquor traffic.

That the bill could have been amended so that this would be unnecessary cannot be denied, and it was with a view of having it so amended that I addressed my message to you on the seventeenth and requested you to recall it for that purpose.

I will also again call attention to the fact that the properties that would be affected are among our very largest tax payers, and that this is not a good time for the state to needlessly sacrifice two hundred and fifty thousand dollars of income tax and over a million dollars in property tax.

Since my message of the seventeenth this subject has been discussed by the press and the people, and, so far as I know, no one has attempted to claim that the continued use of the properties in question for the purpose of manufacturing and shipping into other states and countries would make it possible to interfere with the successful enforcement of a prohibition law in the state of Wisconsin, if one is adopted; or that it would in any way increase the consumption of liquor in states where the sale of the same is not prohibited by law.

The undisputed fact is that the law, in the form in which it

has been submitted to me, would merely transfer the manufacture which has thus far been carried on in this state to other states, where the manufacture is permitted.

There can be no objection, founded upon good reason, to the amendments that I have suggested. No member of the legislature will maintain that a bill closing the liquor manufacturing institutions, or another bill forbidding the right of an individual to make either wine or cider for his own use, would have even a remote chance of passing either house of the legislature; nor would there be any thought of referring either proposition to a vote of the people. It seems to me that if the promoters of the bill had any respect for property rights or personal privileges, that the least that they should have done was to separate the bill into three parts, permitting the people to vote upon each proposition separately, and give them a right to stop short of the destruction of property and the curtailment of privileges in the home if they saw fit to do so. If the bill had come to me in that form I would have approved it, because I have faith in the sense of justice of the people.

As governor of all the people I shall not permit myself to be moved either by prejudice or by political expediency. There is no justice in the former and no honest public service in the latter. I offered fair suggestions in connection with this bill, which should not offend even the most ardent prohibitionist. The responsibility for its failure then, Gentlemen of the Legislature, rests with the members who have promoted it.

In my message to you at the opening of the session I stated that I would at some later day have something to say upon the subject of the regulation of the liquor traffic. While prohibition was not an issue during the last campaign, I said, on several occasions, that I believed in practical temperance, meaning thereby such laws as can be enforced that will minimize the evils that are associated with the excessive use of liquor. I do not believe in sumptuary laws that cannot be successfully enforced. Such laws are the breeders of perjury and deception, which are infinitely worse in their effect upon the morals of the people than the free use of liquor.

That public sentiment in Wisconsin is not ready for absolute prohibition is, I think, clearly indicated by the fact that but comparatively few villages, towns and cities have gone dry. This

despite the fact that it is the privilege of the people of every village, town, or city to forbid the sale of liquor if they see fit to do so.

The fact that our country is now engaged in war adds new reasons for meeting this question in a practical way. What we should do is to forbid that which is most harmful, and which is largely responsible for all the evils that grow out of the use of liquor, by forbidding the use of ardent intoxicating liquors and permit only the use of mild malt beverages and light wines.

I recommend that you pass a law, to take effect no later than July 1st next, which will permit only the sale of beer, containing not more than three per cent alcohol, and wine to contain no more than ten per cent alcohol. This law should be passed as a war measure.

I urge this because I believe it to be the very best possible arrangement that can be made and successfully carried out, and, inasmuch as it would go into effect immediately, it should have the support of all moderate prohibitionists.

It is the same regulation that has been adopted in the warring countries of Europe and has been found to be successful, and we ought to be able to learn something from their experiences. The prohibition in Russia was a prohibition of the sale or use of vodka and similar ardent spirits. In France the government forbids the use of absinthe, brandy, whisky and similar ardent spirits, but light wines are permitted. In England, Italy, Germany, Austria and the Scandinavian kingdoms ardent alcoholic liquors have been forbidden, and the moderate use of malt beverages and light wines are permitted. I am sure those countries have learned something by experience that we may adopt with profit.

I make the further suggestion, as a matter of practical regulation, that provision be made giving the state the right to cancel any license that is issued within the state if upon good and sufficient proof it can be shown that the person conducting such drinking place has sold to a minor, or to a person intoxicated, or to one to whom drink is forbidden by law; and that such person holding such license shall not again be eligible to receive a renewed license within the state.

I believe these to be practical regulations that will correct to a large extent the evils associated with the excessive use of

liquor, and will at the same time retain for the citizens the privileges that I believe the majority of the people of the state of Wisconsin desire.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated May 22, 1917.

To the Honorable, the Legislature:

I herewith return, without my approval, Bill No. 71, A.

This bill provides that the board of education of any city, or the district board of any school district, may provide meals or lunches for children attending the public schools, at such price, *not exceeding the cost thereof,* as the board of education or the district board may determine.

Under the bill, therefor, boards of education or district boards might furnish meals and lunches to school children at less than cost, or practically, if not absolutely, free.

To permit boards of education or district boards to furnish lunches at cost for school children while attending school, is a worthy and laudable purpose, and would meet with my hearty approval; but to permit such boards to furnish such meals below cost, or absolutely free, is, in my opinion, neither sound public policy nor a public purpose, in the constitutional sense, for which taxes may be levied.

When this bill reached me for my approval, friends of the bill were conferred with and advised that I could not give it my approval in its present form, and they were requested to recall it for the purpose of so amending it, as to provide that meals and lunches might be furnished to children while attending school at a price equal to but not exceeding the cost thereof, or at a price not less than cost. They refused to recall the bill, stating that their intention in introducing it was to permit boards of education and district boards to furnish meals absolutely free, if they saw fit to do so.

I then had a resolution prepared and introduced in the assembly, recalling the bill for the purpose of incorporating these amendments. The assembly saw fit to refuse to adopt this resolution. There is, therefore, no other course for me to pursue, as I view it, but to return the bill without my approval.

It will be noticed that the bill does not confine the furnishing of free meals or lunches to the children of indigent or poor parents but embraces all children, those of the rich, who are abundantly able to pay, as well as those of the poor, who might not be able to pay.

If this legislature, before it adjourns sine die, will pass a bill providing that boards of education of any city or district boards of any school district, may provide lunches at cost for children while attending school, I shall be pleased to give it my approval, and I recommend that such a bill be introduced and passed.

Dated this 25th day of May, 1917.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

To the Honorable, the Legislature:

I wish to call your attention to a matter in which we can be of service to the soldiers whom we are now calling to the colors, and at the same time relieve much of the anxiety which the parents have for the welfare of their boys.

In the training camps already established, or soon to be established, large bodies of men, selected primarily from the youth of the country, will be gathered together for a period of discipline and training. I regard it as the duty of the state to protect these young men, so far as it is possible, against all evil influences that may be established, or attempted to be established, within their easy reach.

In order to place proper restrictions around the sale of liquor, so that our soldiers will not be tempted by it and we may keep the surrounding territory free from any form of vice which may be established, or attempted to be established, I recommend that you pass a law which will create a zone three miles in width around the grounds of any military reservation or training ground used for training purposes, and that during the time that the said military reservation or training ground is occupied by soldiers, other than those employed regularly as camp officers or employees, no liquor shall be sold within this zone; and that the territory thus described shall be properly policed by the civil authorities; and that no form of vice shall be permitted to exist therein; and that any person who shall attempt to establish or carry on any

unlawful business within the described limits shall, upon trial and conviction thereof, be subjected to heavy penalty.

It is not expected that any military training camp will be established in or near any city. However, to protect the people of cities against the regulations that I have proposed, I suggest that the law be so framed as not to include any territory within the corporate limits of a city. I suggest this for the reason that the law should not be used to interfere with local regulations, and for the further reason that cities are policed and we can rely upon the police force to render the desired protection.

I have recently received a communication from the Secretary of War in which he makes a strong plea that all reasonable precautions be taken to protect the health and morals of the soldiers, and we should willingly cooperate with the government in its efforts to do this.

I believe that the suggestion I herein make to you will insure such conditions as the government desires to place around our army, and I earnestly request you to pass a bill promptly that will be a substantial compliance with the recommendations contained in this message.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, May 31, 1917.

To the Honorable, the Legislature:

I herewith return without my approval bill No. 255, S.

This bill authorizes the armory board to expend each year, in the construction of armories, not to exceed fifteen per cent of the sum appropriated for the Wisconsin National Guard.

The present annual appropriation for the guard is three hundred thousand dollars; this bill increases that appropriation fifty thousand dollars. On the basis of the persent appropriation there would, therefore, be used annually in the construction of armories fifty-two thousand five hundred dollars.

In my message to you at the opening of the session, I called attention to the fact that in times of peace when we had mustered our full war strength, it was estimated that the expense to the state for the National Guard would be six hundred thousand dollars.

If the present war lasts for any considerable length of time, and there is no present indication that it will end shortly, the annual appropriation to the Guard will necessarily have to be increased greatly above this sum.

These increased appropriations will automatically increase the authorized amount to be expended for armory construction.

While I realize the necessity for armories I feel that the citizens will be called upon to pay for necessary and unavoidable military purposes, state and national, such vast sums, that all expenditures for that purpose which can possibly be avoided without affecting the efficiency of the troops should be postponed until after the war.

At the present time the state is maintaining a military reserve at Camp Douglas and the United States is maintaining one at Sparta. Most of the National Guard during the time of war will be mobilized at one or the other of these reserves, or at others which will be established by the United States.

The real necessity for armories in time of war is less than in time of peace.

For the state to employ labor in building armories, or other buildings, when it is so badly needed in raising and harvesting food products, in manufacture of munitions, and in other lines of production, made imperative by the war, is, in my judgment, not only poor public policy, but also directly contrary to the policy so far pursued by the state to stimulate production.

The state should not encourage production and then employ labor needed for such production in the construction of public buildings unless the necessity therefor is very urgent.

It is, in my judgment, also unwise for the state to engage in any extensive building operations during the present high cost of materials. In my message to you at the opening of the session, I said, that "in view of the present high cost of materials, I believe it a wise policy for the state to defer all building operations, except such as are absolutely necessary, to a time when materials can be secured at reasonable prices." Materials are higher now than they were at the time the message was written.

For the reason that this bill would add to the burden of the taxpayer, a sum for military purposes, not absolutely necessary, at a time when he will be called upon to contribute for war purposes to the limit of his ability to pay; that it would take men

from the field of active production where they are so sorely needed at the present time, and that in addition it would compel the state to purchase materials for the construction of buildings at a time when the cost thereof is far above normal prices, I feel that I cannot give it my approval.

It is true that the armory board is not compelled by the terms of the bill to build a single armory, yet good faith and square dealing would require the board to expend at least the added appropriation of fifty thousand dollars for the construction of armories notwithstanding the same is appropriated to the board, according to the language of the bill, "to be used in carrying into effect the powers, duties and functions" of the Wisconsin National Guard, "including the powers, duties and functions of the board as provided by" the bill.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 4, 1917.

MEMORANDA ATTACHED TO BILL NO. 462, S.

This bill establishes a tuberculosis sanatorium to be located north of the center line of the state and appropriates $75,000.00 "for the purchase of a site and the erection and equipment of building." There is no appropriation whatsoever for equipment, maintenance or operation.

The state has invested in buildings and equipment at the sanitorium at Wales $326,995.40 and this institution accommodates one hundred and eighty patients only.

If under this bill the state should be so fortunate as to find an appropriate and practical site on land now owned by the state and, therefore, could use the entire sum appropriated for buildings, it would accommodate forty-one patients, only, if we figure the same cost per patient as at Wales.

I feel that if the state is to locate another state sanatorium, it should be of sufficient capacity to accommodate at least two hundred patients. This, according to experts, is the least number that can be accommodated economically and efficiently in one institution. To build an institution that would accommodate this number of patients would necessitate an appropriation several times larger than that provided for by this bill.

It is perfectly clear that no practical use can be made of the money appropriated by this bill, except to select a site, until some future legislature makes an additional appropriation for buildings, an appropriation for equipment, and also makes provision for operation of the institution after its construction.

In view of this situation, I have concluded to give this bill my approval so that a site may be selected, but shall withhold my approval for any plans or contracts for buildings until such time, if it occurs during my term of office, as labor is not so badly needed as at present on account of the war, and when the cost of materials reaches a more nearly normal basis; and not then, unless the plans are such as will, in the end, accommodate at least two hundred patients.

Dated, this eleventh day of June, 1917.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

To the Honorable, the Legislature:

I herewith return, without my approval, bill No. 383, A.

This bill permits a railroad company to exchange transportation over its lines between points wholly within this state, or a distance of not more than two thousand five hundred miles in the aggregate, annually, to any daily or weekly newspaper published in the state in exchange for advertising, providing the editor does not hold a public office of trust or profit. The tickets or mileage books to be given to these newspapers entitle the editor and members of his family dependent upon him to ride thereon.

All of you remember, and many of you took part in the long and bitter contest waged in this state over railroad rates, both freight and passenger.

In that contest it was charged that the railroads were guilty of gross discrimination in both freight and passenger rates. It was alleged that the railroads were granting rebates and other concessions from their published tariffs and were issuing transportation to certain persons, especially to public officials, free or at greatly reduced rates.

As a result of this contest the legislature of this state, in 1899, passed an act forbidding the giving by the railroads of any free passes or privileges to any candidate for, or incumbent of any office, or to any member of any political committee, and also for-

bidding these persons from accepting any such free passes or special privileges under heavy penalties.

Apparently anticipating that some future legislature might pass an act repealing or weakening this law, the people of the state, in 1902, adopted a constitutional amendment, hereinafter quoted, which is in almost the exact language of the act of 1899, thereby forever putting the question of its repeal or infringement beyond the power of any legislature.

Not only did the contest result in both statutory and constitutional enactments prohibiting free passes or other special privileges being given to candidates for, or incumbents of offices, and members of political committees, but it also resulted in the passage, in 1905, of the Railroad Commission Act.

This Act prohibits discriminations in rates, both freight and passenger. It provides that no railroad shall directly or indirectly, by any device whatsoever, charge, demand, collect or receive from any person a greater, less or different compensation for the transportation of persons or property than that prescribed in its published tariffs, or than it charges, demands, collects or receives from any other person for a like and contemporaneous service. Any railroad which violates this provision of the Act forfeits from one hundred dollars to ten thousand dollars, and the agent or officer through whom the violation was committed is punished by a fine of from fifty dollars to one hundred dollars.

Not only is the railroad and its agent or officer punished in the manner above stated, but the person accepting or receiving the concession or discrimination is also punished by a fine of from fifty dollars to one thousand dollars.

I recite these facts to call your attention to how the people of this state viewed railroad discrimination a few years ago, and how securely, as they thought, they had guarded its reoccurrence.

This, I believe, is the first demand which has been made upon any legislature to pass any law which would nullify the Acts of 1899 and 1905 and violate the constitutional mandate of 1902. If this bill should become a law and the railroads be permitted to exchange transportation for advertising, will not persons, other than editors, who sell commodities and materials to railroads ask to be allowed by law to exchange such commodities and materials for transportation?

How can the railroads logically be allowed by law to exchange transportation in payment of a contract for one commodity and

be refused by law to exchange transportation in payment of a contract for all other commodities or materials?

Such a condition, although under sanction of law, would be as intolerable to the general public, who would still be required to pay for their transportation in cash, as that which existed prior to the amendment of the constitution and the passage of the statutes above cited. It would on another contest to remove, not illegal discriminations, but discriminations legalized by law.

I will not knowingly approve of any bill which would destroy any rights demanded by the people after such a long and bitter contest as was waged in this state over railroad transportation.

In my opinion not only would this bill eventually destroy these rights, but it is unconstitutional as well.

The constitution, section 11 of article XIII, provides that "no person, association, co-partnership, or corporation, shall promise, offer or give, for any purpose, to any political committee, or any member or employe thereof, to any candidate for, or incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality, of this state, or to any person at the request or for the advantage of all or any of them, any free pass or frank, or privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication. No political committee, and no member or employe thereof, no candidate for and no incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality of this state, shall ask for, or accept, from any person, association, co-partnership, or corporation, or use, in any manner, or for any purpose, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication."

A violation of the foregoing provisions of the constitution constitutes bribery and is punishable accordingly.

The act of 1899, section 4552a of the statutes, provides a penalty of from one to five years in the state prison or a fine of from two hundred dollars to one thousand dollars for each offense. Under the constitution, as well as by the statute, both the party giving and the party receiving or soliciting the pass, frank or privilege are punishable alike.

Under the bill it may be claimed that the editor and those of

his family who are dependent upon him do not receive a free pass; that the transportation is given in exchange for advertising and therefore, is not free. But by the statute, section 4552a, and which is not expressly repealed or modified in any particular by the bill, the term "free pass" includes "any form of ticket or mileage entitling the holder to travel over any part of the line or lines of any railroad issued to the holder as a gift or in consideration or partial consideration of any service performed or to be performed by such holder."

Furthermore, the constitution applied not only to free passes, but to "any free pass or frank or any privilege withheld from any person."

Giving transportation in exchange for advertising is a privilege withheld, at the present time, by the railroads from all persons, and under the terms of the bill it remains a privilege withheld from all persons except such editors of daily or weekly newspapers published in this state as the railroads saw fit to issue transportation to.

Under the constitution, how can the railroads give transportation to an editor of a daily or weekly newspaper published in this state in exchange for advertising, provided such editor is a member or employe of a political committee, or a candidate for, or an incumbent of an office, when it withholds transportation, under like circumstances, from all other persons, and especially from editors of newspapers which are published semi-weekly, semi-monthly, monthly, bi-monthly or quarterly, and from magazines, trade journals and various other publications which carry advertising?

A casual reading of this bill and the constitution will show that the constitution is much broader and more conclusive in its class of prohibited persons than is the bill.

The constitution forbids the giving by the railroads of free passes or special privileges "to any political committee, or any member or employe thereof, to any candidate for, or incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality, of this state, or to any person at the request or for the advantage of all or any of them." It likewise forbids any political committee, or member or employe thereof, or candidate for, or incumbent of any office or position under the constitution or laws, or under any ordinance of any town or municipality, of this state, to ask for or accept, or use, in any manner, or for any purpose "any free pass or frank, or any

privilege withheld from any person, for the traveling accommodation or transportation of any person." On the other hand, the bill only inhibits the editor who "holds a public office of trust or profit" from receiving transportation.

The bill would permit an editor who was a member or employe of any political committee, or a candidate for office, to accept transportation not only for himself, but for any member of his family who is dependent upon him, and would permit the railroad companies to give such transportation to an editor who was a member or employe of a political committee, or a candidate for office, or to any member of such editor's family who is dependent upon him.

This, in my opinion, is directly contrary to the constitutional mandate.

Under the constitution no editor of a daily or weekly newspaper published in this state, if he is a member or employe of a political committee, or candidate for office, can accept transportation under the bill and not be guilty of bribery. Neither can the railroad give any such editor transportation under the bill and not be equally guilty of bribery.

Neither can any editor, although he is not himself a member or employe of a political committee, nor a candidate for office, ask for or accept transportation for any member of his family who is a member or employe of a political committee, or a candidate for, or incumbent of any office or position under the constitution or laws, or under any ordinance of any town or muni cipality of this state, without violating the constitution.

In the particulars herein stated the bill intrenches upon the constitution and is, therefore, in my opinion, unconstitutional and void and for that reason, as well as upon grounds of public policy I cannot give it my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, Madison, Wisconsin, June 18, 1917.

Gentlemen of the Assembly:

At your morning's session you refused to concur in that part of bill No. 665, S., which appropriated forty-five thousand dollars for the purchase of what is generally known to be the Roemer

I am in full accord with the proposition that we should not now purchase any property that is not absolutely necessary for the successful operation of our public institutions. However, the building located upon the so-called "Roemer property" has for some years been used as an infirmary by the university, and, as matters stand now, the university will probably be unable to secure a renewal of an option for purchase, and will at the same time lose the use of the building.

The loss of the control of this property leaves the university without a building to use as an infirmary, and there will be no place where students may receive medical attention unless they go to the public hospitals, which are usually overcrowded.

I feel that the state is in duty bound to care for the sick at the university and that some provision must be made to enable the management to do its duty in this respect. If you do not desire to purchase the Roemer property and continue to use the buildings located thereon for hospital purposes, it seems to me that you should make provision for the immediate construction of an infirmary upon the university grounds and appropriate a sum sufficient for that purpose, and authorize the Central Board of Education to rent a building that is suitable for hospital purposes until the new building is completed.

The fall session of the university begins in September, and it will be necessary to make arrangements for temporary quarters for at least a year.

Whatever your conclusions may be in this matter, I will ask you to not fail to make some suitable arrangement that will enable the management of the university to give the students and their parents the assurance that hospital facilities have been arranged for.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated at Madison, Wis., June 19, 1917.

To the Honorable, the Legislature:

I have before me for my approval bill No. 684, A.

This bill authorizes the warden of the state prison to make contracts for the employment of convicts in the construction of buildings, or other construction work, or any other work which may to him seem to be proper work upon which to employ convicts

outside the prison walls. I cannot approve this bill in its present form.

In my judgment convicts, when employed outside of the prison walls, should be employed only in the building of highways, work on lands owned by the state, and in the construction of buildings being erected by the state; they should not be employed in occupations which would place them in direct competition with free labor.

Section 4927 of the statutes permits the prisoners to work in cultivating the prison farm. Chapter 360 of the laws of this session permits them to be employed in putting five thousand acres of state land in tillable condition, and section 4937m of the statutes permits them to be employed in the construction and improvement of highways.

The only occupation, therefore, at which prisoners ought, in my judgment, to be employed outside the prison walls is covered by existing statutes, except the construction of buildings erected by the state.

I would therefore suggest that you recall bill No. 684, A., and so amend it as to limit the employment of prisoners to the purposes herein indicated.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated at Madison, Wisconsin, June 20, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Honorable Thomas F. Konop, of Green, Wisconsin, to be a member of the Industrial Commission of Wisconsin, for the term ending June 30, 1923.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated June 21, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

John S. Allen, of Lake Geneva, Wisconsin, to be a member of the Railroad Commission of Wisconsin for the balance of the unex-

pired term ending on the first Monday in February, 1921, vice Walter Alexander, resigned.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated June 21, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Thomas E. Lyons, of Superior, Wisconsin, to be a member of the State Tax Commission for the term ending the first Monday in May, 1925.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated June 21, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Edward A. Everett, of Eagle River, Wisconsin, to be a member of the State Board of Control of Wisconsin, for the term beginning July 1, 1917, and ending the first Monday in April, 1921.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated June 21, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

F. W. Coon, of Edgerton, Wisconsin, to be a member of the State Civil Service Commission, for the term ending June 21, 1923.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated June 21, 1917.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

Sigvert Melby, of Spooner, Wisconsin, to be a member of the

State Fair Advisory Board of the Department of Agriculture, for the term ending the first Monday in February, 1919, vice W. M. Rowe, resigned.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated June 21, 1917. *Governor.*

To the Honorable, the Legislature:

I transmit herewith the resignation of the Board of Lady Managers of the Industrial School for Girls, located in the city of Milwaukee.

Insomuch as that institution has been ably cared for by a board of women who have given their services for years without pay, I respectfully request that you print this resignation in your daily journal and pass a joint resolution accepting the same, and tender the thanks of the people of this state to the women of this board for their many years of unselfish devotion to the interests of the girls who have been committed to that institution.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, June 22, 1917. *Governor.*

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint:

C. B. Bird, of Wausau, Wisconsin, to be a member of the State Board of Education, for the term ending August first, 1918.

Mrs. Meta Berger, of Milwaukee, Wisconsin, to be a member of the State Board of Education, for the term ending August first, 1919.

Herman Grotophorst, of Baraboo, Wisconsin, to be a member of the State Board of Education, for the term ending August first, 1920.

Charles Hill, of Rosendale, Wisconsin, to be a member of the State Board of Education, for the term ending August first, 1921.

Frank P. Hixon, of La Crosse, Wisconsin, to be a member of the State Board of Education, for the term ending August first, 1922.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated at Madison, Wisconsin, June 25, 1917.

MEMORANDUM ATTACHED TO BILL No. 351, A.

I approve this bill because it is designed to correct an alleged evil that has been forced upon merchants in many sections of the state, and for the further reason that it is alleged, and I think fairly proven, that many articles of merchandise used by trading stamp companies to redeem stamps are of but little value. Furthermore, the holder of the stamps is confined in the selection of goods to such articles of merchandise as the trading stamp company chooses to use in the redemption of the stamps, which compels the holder to accept articles that are not really desired and are, therefore, of little value to him.

There are, however, some features of the trading stamp system that, in my judgment, should be continued and should be regarded as a mere method of paying a legitimate discount which the purchaser should have a right to receive and the merchant a right to give if he sees fit to do so.

The bill allows the use of trading stamps, but makes them redeemable in cash only. I believe that the law would serve a better purpose if it were left optional with the holder of the stamps to take the discount in money or in merchandise of his own selection of the general stock carried by the merchant issuing such stamps. Merchants are in the business of selling goods, and if they can pay the discounts which they offer in goods which are desired by the customer, and for which they charge no more than the customer would be asked to pay if he made the payment in cash, no wrong would be committed, and I am of the opinion that under such circumstances the state might safely leave the adjustment to the merchant and his customer and I wish that the law could be so amended.

Insomuch as the bill was passed by an overwhelming vote in both houses and has the general support of the merchants of the state, I feel that I should not exercise the veto power, even though I am not in full agreement with all its provisions.

EMANUEL PHILIPP,

Dated, June 26, 1917. *Governor.*

EXECUTIVE COMMUNICATIONS

To the Honorable, the Legislature:

I herewith return without my approval bill No. 435, S.

This bill provides that any person committing a crime in Milwaukee county the punishment whereof does not exceed one year's

imprisonment in the state's prison or county jail, or a fine not to exceed five hundred dollars or both such fine and imprisonment, may escape the penalty provided by law for the punishment thereof if the judge who tried the case so orders. While all persons who commit crime in the state outside Milwaukee county the punishment whereof is exactly the same must suffer such penalty.

Classification of counties is permissible under the constitution on the basis of population if the classification is germane to the purpose of the law and based upon substantial distinctions which make one class really different from another. The classification made by this bill is not germane to the purpose of the bill nor based upon substantial distinction. The purpose of the bill is to permit certain criminals to escape the penalty provided by the law in Milwaukee county. No such classification is legal. Neither is there any distinction between a criminal who commits a crime in Milwaukee county and a criminal who commits a crime elsewhere in the state. Crime is none the less a crime because committed in Milwaukee county, neither should the criminal escape the punishment for his crime solely on the ground that he committed it in Milwaukee county.

The bill provides that the court may by order suspend the judgment or stay the execution thereof after a person has been convicted when it appears to the satisfaction of the trial court that the character of the defendant taken with the circumstances of the case indicates that he is not likely to again commit a crime or offense against the law and that the public good does not require that he shall suffer the penalty provided by law.

The constitution, section 6, article V, vests the pardoning power in the governor of the state. The supreme court of this state *In Re Webb,* 89 Wis. 354, said of this constitutional provision that "both upon principle and authority, its (the court's) right to suspend the execution of the sentence after it has been pronounced cannot be sustained, except as incident to a review of the case upon a writ of error, or upon other well-established legal grounds. After sentence given, the matter within these limits would seem to be wholly within the hands of the executive officers of the law. The sole power is vested in the governor to grant reprieves, commutations, and pardons after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper. Const. Art. V, sec. 6. And the action of the court in the premises, after

it had regularly pronounced the punishment provided by law for the offense in question, is clearly obnoxious to the objection that it is an attempted exercise of power, not judicial, but vested in the executive."

For these reasons I return the bill without my approval.

EMANUEL L. PHILIPP,

Dated this 27th day of June, 1917. *Governor.*

To the Honorable, the Legislature:

I herewith return, without my approval, bill No. 420, S.

This bill appropriates the sum of two hundred thousand dollars for completely constructing, within two years from the passage and publication of the act, fire proof buildings not to exceed two stories in height, on the grounds of the southern Wisconsin home for the feeble-minded and epileptic at Union Grove, in accordance with the specifications for class four in the present plans of the institution, and constructing a power plant to cost approximately thirty thousand dollars. The balance of the appropriation after the construction of the buildings and power plant is to be used for furnishings and maintenance. The bill expressly states that this appropriation is in addition to the amount already provided for in the budget for buildings and other expenditures at Union Grove for 1917 and 1918.

The state already has appropriated for Union Grove approximately four hundred fifteen thousand dollars. There will be available in the appropriations already made for Union Grove, exclusive of the one under consideration, approximately two hundred twenty-two thousand dollars for building purposes. When this money has been expended there will be a capacity at that institution for one hundred sixty-eight inmates.

In view of the military expenditures in prospect, which must be given first consideration, I deem it unwise to make any further appropriations for the institution at Union Grove at this time. If the war continues for a year or more it may be expected that the legislature will be called in extraordinary session and if after the buildings that are now under construction and such as will be contracted for within the next year are completed, and the demands made for military purposes have not exhausted the tax payers' ability to pay, a demand for an appropriation to add additional buildings may be included in the call for a special session if it is thought wise to do so.

The needs of the institution were fully discussed before the Committee on Finance and the friends of the bill were given a full and complete hearing. That committee, composed of fourteen members of the legislature, recommended the bill for indefinite postponement, with only two dissenting votes.

I desire to again call your attention to my message to you at the beginning of this session, wherein I said:

"Additional buildings are requested by the University, the State Normal Schools, Stout Institute and by the State Board of Control for the charitable and penal institutions.

In view of the present high cost of material I believe it a wise policy for the state to defer all building operations, except such as are absolutely necessary, to a time when material can be secured at reasonable prices, and normal conditions prevail. It is generally conceded that the present high prices cannot continue much longer, especially if the war in Europe comes to an end. It may reasonably be expected that when the war is over there will be a reaction in business and some readjustment of our economic conditions will take place. There is reason to believe that during the period of readjustment work will become scarce and laboring men will be seeking employment.

Because of these possibilities, it should be the policy of the state to defer its building operations, so far as it is possible, not only in the interest of lower prices, but for the purpose of providing employment to our laboring men at a time when business and private industry is dull, and work is scarce. Furthermore, during times when there is an abundance of employment at high wages in private industry, public enterprise should not compete for the available labor any more than is absolutely necessary. It should reserve its work in the interest of the workingman for a time when he needs it. Nor should the state interfere with private industry to the extent of curtailing necessary production."

Labor problems are more difficult now than they were at the time the message was written. The situation regarding building materials is no better now than it was then, and possibly not as good. Steel is about three times above normal prices. Cement is twenty per cent higher. Hardware, lumber and other material used in building have greatly increased over normal prices. Money expended for building purposes now will purchase not to exceed fifty per cent of what it would purchase in normal times.

I again call your attention to the fact that at a time when the country is involved in war and the people are called upon to pay the tremendous war expenditures is not an opportune time for the state to expend money upon public institutions. Furthermore, the friends of this bill should be willing to wait until the state can get a reasonable return for the money which is expended. In other words, the state should not attempt to erect public buildings when the cost is twice what it would be in normal times.

The state and the counties are now supporting a population of twelve thousand in the charitable and penal institutions. The state opens two new institutions in the near future, including the institution provided for by this bill. Both institutions require large appropriations for operation, which will add materially to the tax burdens.

While I can agree with the friends of this bill that it is desirable to put every feeble-minded person in the state in the state's care, it is, nevertheless, necessary, in view of the enormous expenditures which confront the people at this time, to forego some things which are really desirable and would be a good thing to have in normal times.

In view of the fact that the institution at Union Grove now has two hundred twenty-one thousand dollars which will be available for building purposes within the next two years, because of the high cost of building material and because of the scarcity of labor, and the further fact that every laborer who can possibly be spared should be used in agriculture and the preparation of war material, I return this bill without my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated this 28th day of June, 1917.

To the Honorable, the Legislature:

I herewith return without my approval, bill No. 338, S.

The purpose of the author of this bill was to permit common councils of cities of the second, third and fourth classes to dispense with the offices of treasurer, clerk, comptroller, attorney, assessor, street commissioner, engineer, and board of public works, and employ a city manager to perform the duties required by these offices.

After its introduction the bill was amended by striking out

cities of the second class apparently for the reason that cities of that class should not be subject to have these offices abolished and the duties performed by city managers. But the amendment did more than this.

The bill amends section 925—23, which is a part of the general charter law of this state. This section, 925—23, is the only provision in the general charter law which provides for the offices of mayor, treasurer, clerk, comptroller, attorney, assessor, justices of the peace and constables, physician, street commissioner, chief of the fire department, board of public works, school commissioners, policemen and aldermen of cities of the second, third and fourth classes.

By striking out cities of the second class there is left in the general charter law no provision whatever for these offices in cities of the second class. In other words, if this bill should become a law, there would be no provision in the general charter law for any city officers in cities of the second class.

Obviously the author of the amendment did not have this anomalous situation in mind when he offered the amendment, and apparently both the author of the bill as well as the members of the legislature overlooked the effect of the amendment when it was adopted.

Being that the bill as presented to me for my approval would strike from the general charter act all provisions for the above enumerated officers in cities of the second class, I cannot give it my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

MEMORANDA ATTACHED TO BILL No. 422, A.

I can see no constitutional objection to section 1 of this bill.

The present law provides that any person proposing to erect a public elevator or warehouse shall be furnished by the railroad, at a reasonable rental, a site upon its vacant right of way or depot grounds.

If a railroad is compelled by law to furnish a site for a public elevator or warehouse, I can see no objection to providing by law that when any private elevator or warehouse is situated upon the vacant right of way, such private elevator or warehouse may be

converted into a public elevator or warehouse and remain upon such right of way.

It would be folly to compel the owner of a private elevator or warehouse who desires to convert his private elevator or warehouse into a public elevator or warehouse, to first move it off the right of way and then compel the railroad company to furnish him the same site for the same structure as a public elevator or warehouse.

Section 2 of the bill is, however, to my mind, clearly unconstitutional. It provides that every railroad company shall furnish, on its vacant right of way, sites for private elevators or warehouses.

The property of a railroad company is private property, notwithstanding the fact that it is devoted to a public use. The private property of a railroad cannot be taken from it for a private use any more than the private property of an individual may be taken for private use. Private property may be taken for a public use by paying just compensation therefor, but private property cannot be taken for a private use no matter what the compensation may be that is to be paid for it. These propositions are fundamental and do not need the citation of any authorities to sustain them.

It would seem to me that the precise question presented by section 2 of this bill has been decided, adversely, by the Supreme Court of the United States, in Missouri Pacific Railway Company vs. Nebraska, 164 U. S. 403. The Supreme Court of the United States said, in passing upon the constitutionality of the statute of Nebraska, whose provisions were similar to section 2 of this bill:

"A railroad corporation doubtless holds its station grounds, tracks and right of way as its private property, for the public use for which it was incorporated; and may, in its discretion, permit them to be occupied by other parties with structures convenient for the receipt and delivery of freight upon its railroad, so long as a free and safe passage is left for the carriage of freight and passengers. But how far the railroad company can be compelled to do so, against its will, is a wholly different question.

"To require the railroad company to grant to the petitioners a location on its right of way for the erection of an elevator for the specified purpose of storing from time to time the grain of the petitioners and of neighboring farmers, is to compel the railroad company against its will, to transfer an estate in part of the land which it owns and holds, under its charter, as its private

property and for a public use, to an association of private individuals, for the purpose of erecting and maintaining a building thereon for storing grain for their own personal benefit, * * *

"This court * * * is unanimously of opinion, that the order in question, so far as it required the railroad corporation to surrender a part of its land to the petitioners, for the purpose of building and maintaining their elevator upon it, was, in essence and effect, a taking of private property of the railroad corporation, for the private use of petitioners. The taking by a state of the private property of one person or corporation, without the owner's consent, for the private use of another, is not due process of law, and is a violation of the Fourteenth Article of Amendment of the Constitution of the United States."

The United States Supreme Court, in Hartford Ins. Co. vs. Chicago & Railway, 175 U. S. 91, used the following language: "A railroad corporation holds its station grounds, railroad tracks and right of way, for the public use for which it is incorporated, yet as its private property, and to be occupied by itself or by others, in the manner which it may consider best fitted to promote, or not to interfere with, the public use. It may, in its discretion, permit them to be occupied by others with structures convenient for the receiving and delivering of freight upon its railroad, so long as a free and safe passage is left for the carriage of freight and passengers. And it must provide reasonable means and facilities for receiving goods offered by the public to be transported over its road. But it is not obliged, and cannot even be compelled by statute, against its will, to permit private persons or partnerships to erect and maintain elevators, warehouses or similar structures, for their own benefit, upon the land of the railroad company."

It will be noticed by section 2 of the bill that the site which the railroad company is to furnish for the private elevator or warehouse is not limited to a site within the yard limits of any station or terminal, as is the case with a public elevator, but the private elevator, under the terms of the bill, may be located anywhere along the line of the railroad company where there is a vacant right of way.

This bill was submitted to the Attorney General of this state, who in an opinion to Honorable H. A. Huber, Senator from the twenty-sixth district, dated May 28, 1917, suggested that the

second section of the bill be omitted on account of its probable unconstitutional features, and advising that a new section be added in its place, providing in substance that all elevators and warehouses situated on the right of way of railways be declared to be public elevators and warehouses, the language of the opinion being as follows:

"I would suggest that the second section be omitted and that there be a new section added providing in substance that all elevators and warehouses in which commodities of any kind that are ordinarily shipped in carload lots are received, stored, shipped or handled, and which are situated on the right of way of any common carrier, depot grounds, or other lands required or reserved by any common carrier and used in connection with its line of railroad in this state, and all elevators and warehouses proposed to be erected for such purposes and upon such sites, are declared to be public elevators or warehouses. With such a provision, the first section would cover the furnishing of sites, etc. for all elevators.

I believe the suggested change will do no more than to state more clearly what apparently is the real intent of this bill, and in so doing will aid the court in arriving at a proper construction, under which the proposed law can be held constitutional."

Notwithstanding the suggestion of the Attorney General, above quoted, the Legislature saw fit not to change section 2 of the bill, but passed it in its original form. They apparently had serious misgivings as to the constitutionality of section 2 of the bill because by section 3 of the bill they enacted that sections 1 and 2 of the bill were enacted independently of each other and neither was enacted as an inducement to the enactment of the order.

I give this bill my approval without any hope or expectation that the courts will hold section 2 thereof to be constitutional. I do, however, believe that the courts will not hold the entire act unconstitutional on account of section 2. The two sections of the bill are separable and independent, and while the legislative declaration as to sections 1 and 2 being interdependent is not binding upon the courts it may be, in the language of the Supreme Court of this state, in Water Power Cases, 148 Wis. page 151, "some indication of legislative intention."

EMANUEL L. PHILIPP,

June 29, 1917. *Governor.*

MEMORANDUM ATTACHED TO BILL NO. 683, A.

This bill provides that the judge of the juvenile court or of the county court may on July 1, 1917, appoint a board of child welfare for his county to consist of three members, who shall hold office at the pleasure of the judge making the appointment.

The bill makes no provision for subsequent appointments to this board. But as the members of the board are paid no wages and the duties it is proposed to impose upon them, if faithfully carried out, are onerous, it will probably be difficult to get anyone to serve on these boards. It would seem that some of the duties imposed upon the board are of a more theoretical than practical value.

While I am not at all satisfied with this provision of the bill, I have signed it on account of its other good features.

EMANUEL L. PHILIPP,

Dated July 6, 1917. *Governor.*

EXECUTIVE COMMUNICATIONS.

To the Honorable, the Legislature:

I herewith return bill No. 96, A., without my approval.

The first section of this bill provides that the absolute ownership of personal property shall not be suspended for a longer time than during the continuance of two lives in being "at the creation of the estate" and twenty-one years thereafter; "or, if such instrument be a will," two lives in being at the death of the testator and twenty-one years thereafter.

The second section of the bill provides that in all other respects future or contingent interest in personal property shall be subject to the rules prescribed in chapter 95 of the statutes, in relation to future estates in real property.

The Wisconsin law of uses and trusts and perpetuities was enacted in Wisconsin in 1849 and was copied after the New York law on those subjects. It took the courts of Wisconsin, as well as of New York, fifty years to settle the law on uses and trusts and perpetuities after the enactment of the statute. The law of Wisconsin on uses and trusts and perpetuities, as to both real and personal property, was finally settled in this state about fifteen years ago, after long and expensive litigation, and it was finally held that these statutes had no application to personal property.

It is said that it cost over one million dollars in litigation in New York to settle the law of uses and trusts and perpetuities in that state.

One can gather a very comprehensive, as well as complete, history not only of the litigation in this state, but in New York as well on these questions, by reading the cases of Becker vs. Chester, 115 Wis. 90 and Danforth vs. Oshkosh, 119 Wis. 262.

If this bill were to become a law the benefit derived from fifty years of expensive litigation in this state over uses and trusts and perpetuities would be lost and the whole subject again thrown into chaos from which the courts and litigants could emerge only after another long and expensive period of litigation.

I would not knowingly permit such a situation to arise in Wisconsin by any act of mine.

The common law doctrine on uses and trusts and perpetuities applies both to real and personal property.

By statute in Wisconsin, sections 2038 and 2039, perpetuities as to real estate are prohibited with certain exceptions, but perpetuities of personal property are abolished in this state and the statute of uses and trusts does not apply to personal property. See Becker vs. Chester, supra, and cases cited therein, as well as subsequent cases.

In this state the absolute power of alienation of real estate cannot be suspended for a longer term than two lives in being at the creation of the estate and twenty-one years thereafter, except when it is given, granted or devised to a charitable use or to literary or charitable organizations which have been organized under the laws of this state for their sole use and benefit." But there is no limit whatever either on the time or object for which personal property may be given or bequeathed either directly or in trust.

Any person, charitably inclined, may, in this state give or bequeath his personal property directly, or in trust, for any purpose and for any length of time that he or she may see fit.

In my opinion it is well that it is so. My feeling on gifts for charitable purposes are well expressed by the supreme court of this state in construing the will of Abby S. Harris who by her will gave upwards of seventy-five thousand dollars to Oshkosh for a public library. In construing that will, in Danforth vs. Oshkosh, supra, the court says: "Abby S. Harris, by her will, now before us, has earned the right that her name be writ large

among those who love their fellow men, and has sought to give her charity practical efficacy in a most wise and admirable field and generous form."

If this bill were to become a law no person could give or will any personal property in trust for any religious, charitable, literary, educational, or other purpose whatsoever for a longer term than two lives in being and twenty-one years thereafter. This, of course, would, in most cases, defeat the purpose of the gift or will.

It will be noticed that there are no exceptions contained in this bill. There can be no suspension of absolute ownership of personal property beyond the term prescribed by the bill for any purpose whatsoever.

The law against perpetuities (sections 2038 and 2039) when first enacted in this state did not contain the exceptions now found therein. The exception as to charitable and literary corporations was put into the statute by the revision of 1878 and the exception as to a charitable use was put in by an amendment in 1905, after the decision in the Danforth case in 1903.

The supreme court in the Danforth case said they were strongly pressed to hold that our statute against perpetuities has no application to grants for charitable purposes." But they said "There is no express exception of grants to charitable uses. The words are general, and only in defiance of their literal force could any such exception be allowed." "As an original question of construction, we should feel entirely clear that any suspension of the absolute power of alienation, excepting those expressly exempted in the statute itself, for whatever purpose, charitable or otherwise, was intended to be prohibited."

After this decision the words "to a charitable use" were inserted in the statute, as above stated, so as to permit a gift, grant or devise "to a charitable use."

If, therefore, the bill under consideration should become a law, containing as it does no exception whatsoever, we would have this situation in this state: Real estate could be given, granted or devised in trust to a charitable use or to literary and charitable corporations organized under the laws of this state for their sole use, without violating the statute of uses and trusts and perpetuities, while no such gift, grant or bequest could be made of personal property.

There is no reason or logic for such a condition; public policy condemns it and public opinion would not approve of it.

No one, not even the friends of this bill, I venture to say, would desire such a distinction to be made in the law between real and personal property.

For these reasons I cannot give the bill my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated at Madison, Wisconsin, July 9, 1917.

To the Honorable, the Legislature:

I return herewith bill No. 116, A., without my approval.

This bill must be considered in connection with bill No. 499, A. Together they make new rates of allowance to be paid by the state to the counties for the care of chronic insane cared for in county institutions, and the amounts that the counties shall pay the state therefor.

Under the present law the state receives, from the counties, one dollar and seventy-five cents per week for each patient maintained in state hospitals for the insane.

This rate remains unchanged in the bills under consideration. Under these bills the rate that the state would be compelled to pay to the county has been advanced from one dollar and seventy-five cents per week to two dollars and twenty-five cents, or an increase of fifty cents per week per capita.

This increase was made upon the theory that it is justified by the increased cost of living. It cannot be denied that the cost of living has been substantially increased and that such increase has naturally affected the cost of maintaining asylums. However, state institutions have been affected in a like manner, and if any change is made in the allowance made to the counties by the state, or to the state by the counties, the amount should be the same in both cases; in fact, if the state is to be adequately compensated for the service that it renders it is entitled to a higher rate than are the counties.

The patients in the state institutions are largely acute cases, that require medical and nursing attention. The state institutions are equipped with adequate medical and nursing service and have many other expenditures which the county asylums, which

are merely custodian institutions, do not have. The inmates of county asylums are, in the main, the so-called chronic insane and do not require the attention that is given to the acute cases by the state in state hospitals because of the fact that the latter patients are not hopeless and every effort must be made to restore their health, which must of necessity add much to the cost. Furthermore, many of the chronic insane, who are in county hospitals, are employed at farm work where they are able to earn at least a part of the cost of their maintenance.

If the state's interest had been properly protected in this bill by giving it the same increased allowance that is given to the county, the proposed law would not have produced as great an inequality and I would have given it my approval. However, under this bill and the provisions of bill No. 499, A., the increased cost to the state for the care of the insane would be more than three hundred thousand dollars for the next biennium. In view of the large military expenditures which the state treasury must meet, I cannot agree to permit the additional expenditures provided in this bill and in No. 499, A., to be saddled on the state treasury.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated at Madison, Wisconsin, July 13, 1917.

To the Honorable, the Legislature:

I return herewith, without my approval, bill No. 437, S.

My objections to this bill are manifold.

The bill repeals all the provisions of the present statutes for appeals from the county courts to the circuit courts in probate matters, and provides that all such appeals shall hereafter be taken directly to the supreme court.

To provide that appeals may be taken direct to the supreme court from the seventy-one county courts, in all probate matters, would greatly increase the work of that court. On account of excessive work, the supreme court has been increased in recent years from three members to its present membership of seven. If this bill were to become a law the number of judges of the supreme court would necessarily have to be increased, to dispose of the additional number of cases they would be called upon to decide. This, in my judgment, would not only increase the mem-

bership of that court beyond the number that an appellate court should consist of, but would increase the expense to the state, and without any benefit whatsoever to litigants; in fact, the cost to litigants, as hereinafter set forth, would be increased.

There are county judges in the state who are not, and under the statutes are not required to be, practicing attorneys. In my judgment it would be unwise to permit an appeal directly to the supreme court from a court which is presided over by a judge who is not a practicing attorney.

By the bill, appeals are permitted to be taken directly from the county court to the supreme court from all orders allowing or disallowing any claim against the estate of a deceased person, where the amount in dispute is over twenty dollars. At the present time such appeals go direct to the circuit court of the county in which the county court is located.

This method of appeal affords litigants an easy and comparatively inexpensive method of reviewing orders and judgments of the county court where the amount involved is comparatively small. An appeal to the supreme court is expensive and cannot be taken without financial loss to litigants unless a substantial amount is involved in the litigation.

If appeals to the circuit courts are to be abolished and all appeals denied except directly to the supreme court, it would mean practically a denial of all appeals from the decision of the county court where the amount involved was not sufficient to warrant the expense necessarily incident to appealing to the supreme court.

The bill under consideration provides for jury trials in all will contests in the county court; the verdict of the jury is not advisory and special verdicts are denied. Yet in the trial of a will contest in the circuit court, the verdict of a jury, is advisory and special verdicts are permitted.

This certainly is an anomalous situation when we consider that the bill provides that in will contests, as well as all others, either party may have the case transferred from the county court to the circuit court. In practice this would result in every will contest being transferred, by one party or the other to the litigation, to the circuit court and thereby deprive county courts of one of their principal functions.

There are several other inconsistencies in the bill which it is

needless to point out, as I feel that I have already given abundant reasons for withholding my approval of this bill.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

July 13, 1917.

To the Honorable, the Legislature:

I herewith return, without my approval, bill No. 430, S.

This bill provides that when any county has five hundred acres or more of lands which would be benefited by drainage any person may file a petition with the county judge or county court for the appointment of a county drainage board of three members, who shall have charge of all drainage in the county.

We have on the statutes now a law providing for drainage in any town upon the petition of six free-holders in the town; also a law providing for county drains where the territory sought to be drained lies in two or more towns in the county; also the drainage law passed by this legislature, bill No. 473, S., which provides for drainage districts irrespective of town or county boundaries.

It would seem that these statutes cover every possible situation that might arise where drainage is necessary. However, in addition to these statutes there is a statute providing for city drainage districts and the drainage of swamp lands.

With these statutes already enacted I cannot conceive of any situation which might arise that would make it necessary for additional legislation on the subject of drainage. In my opinion, bill No. 430, S. is an unnecessary duplication and creates an unnecessary additional expense without any adequate necessity therefor.

Furthermore, this bill does not provide for any court review on the assessment of benefits and damages which may be assessed by the drainage commissioners. In other words, the assessment of benefits and damages by the drainage commissioners is final and conclusive.

In my judgment any act which provides that the body making the assessment shall have the final and conclusive say as to the

amount of the assessment is wholly vicious, arbitrary and unwarranted under our form of government.

For these reasons I cannot give this bill my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

To the Honorable, the Legislature:

I herewith return, without my approval, bill No. 473, S.

This bill repeals all of the existing statutes of this state relating to drainage districts and reenacts a complete law on that subject.

This bill was prepared under the direction of a joint committee appointed by the legislature of 1915, and I regret to be compelled to withhold my approval of a bill drafted under these circumstances.

Many of the features of the bill have my heartiest approval, and I should be pleased if a quorum of the legislature had been present when the bill reached me for my approval, so that those features of it to which I object might have been either entirely stricken from the bill, or so modified as to eliminate my objections thereto. Nearly all of the members of the legislature had, however, gone to their respective homes when the bill reached me for my approval, and although I had drafted and presented to the members that were here a bill for introduction, striking from this bill the objectionable features thereof, those members of the legislature who were here, being very few in number, did not desire to take the responsibility of vitally amending a law and changing the policy that had been enacted by the entire body while in session. And in this I believe that they were entirely right. However, I cannot give the bill my executive approval with these features in it.

The provisions of the bill which, in my judgment, are obnoxious and probably unconstitutional, are contained in subsections 16, 17 and 18 of section 1379—17 and section 1379—31zb.

These sections of the bill would permit absolutely the removal of any dam in any navigable stream in the state of Wisconsin, whether such dam was located within or without the drainage district, whenever a drainage district was organized for any district bordering upon or the ditches of which discharged into any navigable stream of the state.

It is true that in form the matter is referred to the Railroad Commission in all cases where work is necessary in any navigable stream, but the Railroad Commission is granted power to decide only two questions, namely: First, Is the proposed work necessary? Second, Will the proposed work permanently injure the navigability of said stream?

It will be noticed that the Railroad Commission has no discretion whatever in the matter if it finds that these two facts exist. That they do exist and must necessarily exist in any proposed drainage district, is self-evident. Neither the decision of the Railroad Commission, nor any other body is necessary to determine that the navigability of a navigable stream will not be permanently injured by putting more water into the stream from drainage ditches; and the fact that the proposed work is necessary has been practically predetermined before the matter reaches the Railroad Commission.

If this bill vested in the Railroad Commission, or some other public body, the authority to determine whether the public would be better served by the construction and maintenance of a drainage district than by the then existing dams in navigable waters when it is sought to interfere with them by drainage, and proper compensation to the owners of the dam and riparian owners and other persons affected by the change had been provided for, it would have met with my approval, although there are several other features of it which, in my judgment, ought to be changed.

Being that I cannot give this bill my approval in its present form and that so few members of the legislature are now here that it is impossible to so change the bill as to meet my objections to it, even if they agreed with me that they were well founded, I recommend that a new bill be drafted for introduction, either at the next session of the legislature or at a special session, if one is called, consolidating, amending and harmonizing all the present laws on drainage, the provisions of which, I am advised, are at present inharmonious, conflicting and unworkable in many particulars.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated at Madison, Wis., July 16, 1917.

GOVERNOR'S MESSAGE.

Feb. 19, 1918.

Gentlemen of the Senate and Assembly:

I have called you to meet in special session to enact such urgent legislation as is needed to provide the necessary money to meet the extraordinary military expenditures of the state, which have been incurred and may in the future be required to enable the state to do its part in the war and provide our troops with necessary equipment, and such further legislation as seems urgent at this time.

During the last session it was impossible to foresee what our extraordinary military expenditures would be. There is an unlimited appropriation for military purposes upon our statute books. However, no provision was made for raising the money to meet the expenditures that may be made under this authorization.

We recruited our guard to the full strength of sixteen thousand men as provided by law and ordered by our national government. The men were mobilized at Camp Douglas about July first and were called into federal service July 15th. Under the law the state paid the transportation of the men from their homes to the mobilization camp, paid each man one month's wages and paid the cost of maintenance from the time that the troops were mobilized until they were finally taken over into the regular army. At the time the troops were ordered south the federal government was not prepared to furnish sufficient clothing and equipment. In order that the men might be provided with the necessary comforts the state purchased ten thousand suits of clothes, much equipment and blankets, all of which cost large sums of money.

In addition to the above expenditures considerable sums of money have been expended in carrying out the act of 1917 which gives state aid to soldiers' dependents. This expense will continue during the war.

The amounts of money expended from July 1st, 1917, to February 1st, 1918, for the various extraordinary military purposes are as follows:

Pay of officers and men—including recruiting duty and service	$406,239.74
For equipment	218,928.79
Aid for dependents	47,796.20
Expenses	20,568.53
Total	$693,533.26

In addition to the above amounts the state expended $105,000.00 in preparing our National Guard for the expedition to the Mexican border in 1916.

It is clearly the duty of the United States government to clothe and equip the soldiers that it calls into service. The government, however, was unable to assemble the necessary supplies in the short time that elapsed from the declaration of war to the date on which our troops were forwarded, and it was incumbent upon the state to equip its troops or send them to the mobilization camps in the south in civilian clothing and without equipment. The wisdom of the expenditure has been fully demonstrated and the success of our guard leaves no opportunity to regret the use of the state's money for the purposes I have stated. With the possible exception of the amounts expended for aid for soldiers' dependents, the amounts stated are in fact a loan to the national government and may at some future time be presented to the United States government as a claim for refund, and there is sufficient precedent to assure us that when the war is over Congress will make the necessary appropriation to return these amounts to the state with interest. A like situation arose during the Civil War and all the money that was advanced by the state during that period for like purposes was repaid to the state by the United States government with interest.

The amounts that we have expended were taken from the general fund of the state treasury and should be restored to that fund. The state has sufficient income to meet the appropriations made by the last Legislature for the ordinary purposes. No tax levy was necessary for general purposes, and the indications are that we shall keep the state's expenditures close to the legislative budget. Owing to the large demands that the United States government is compelled to make upon our citizens for the support of the war I feel that the state should not now levy a tax upon

our people to meet these extraordinary war expenditures by the state, particularly in view of the fact that these expenses are in the nature of a loan to the government and that the amount will ultimately be returned to us.

For these reasons I recommend to you that you authorize a bond issue of one million dollars, and that a sum sufficient to meet the expenditures since July 1st, 1917, be sold immediately and the money thus realized be returned to the general fund of the state treasury and that the balance of the bonds be held in the state treasury to meet future extraordinary war expenditures of the state. We cannot, however, cover the amount that we expended on the Mexican border expedition by bond issue under our constitution.

I wish to impress upon you again that the state will lose nothing by this system of financing, as the United States government can be safely relied upon to pay this money back into the state treasury with interest.

The details of the bond, which I feel should bear four and one-half per cent interest per annum, will be submitted to you in a bill which I have caused to be prepared. There is no constitutional objection to this bond issue. Section 7 of Article VIII of the Constitution provides that "The Legislature may also borrow money to repel invasion, suppress insurrection, or defend the state in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or the repayment of the debt thereby created."

It cannot be successfully urged that the state is not in danger of invasion. It is true, so far as we know, no detachment of the enemy's troops is now enroute for the special purpose of invading the state of Wisconsin. The state, however, is an integral part of the Union and the United States is engaged in war and is, therefore, subject to invasion, and because of the fact that our country is threatened, as every country is that is engaged in war, it must be held that a threatened invasion of any part of the United States is in fact a threatened invasion of the state of Wisconsin, which is one of the integral parts of the Union.

The question was passed upon by our Supreme Court in an informal manner when the Legislature of the state authorized a bond issue in 1861. The identical question was passed upon by the Supreme Court of California under practically the same

constitutional provisions, where it was held, in the case of *Franklin vs. State Board of Examiners,* 23 Cal. 173, that "The existence of the emergency calling for the exercise of the power (meaning the power to issue bonds in time of war) is purely a political question, and the Legislature, as a body in whom the political power of the state is vested, is the sole judge as to the existence of such emergency."

The court continued: "But even if it was necessary for this court to decide whether or not war exists in the country, and that the emergency had arisen justifying the exercise of the power, there is sufficient in the condition of our National affairs to sustain the position that the emergency existed which justified the Legislature in passing the law."

This construction was given during the Civil War, when the Confederate states seceded from the Union, although no invasion of the state of California had been threatened.

DRAINAGE

The operation of our general drainage law has been unsatisfactory. During the last session the Legislature passed a bill making certain amendments and changes which upon careful consideration were found to be unsatisfactory, and I felt it necessary to veto the same. The state has a large area of marsh land, a considerable part of which can be brought into cultivation if properly drained and I am anxious that a practical and fair drainage law should be enacted.

With that in view I appointed a committee of eminent lawyers and soil and drainage experts to revise our present drainage law and prepare a new act which I submit to you. It contains the following provisions, which I have been anxious to have incorporated in the law:

In order to protect the tax payers against drainage of land which cannot be converted into agricultural land because of the character of the soil, the bill provides that before any drainage work can be undertaken the drainage commissioners must obtain a report upon the feasibility of the proposed drainage, the probable cost, and a preliminary plan from the State Chief Engineer, and also a report from the College of Agriculture of the University on the quality and character of the soil, the present agricul-

tural value of the land and the kind of crops to which the land will be adapted after drainage; and also a soil map of the district.

I urge these provisions, 1st. To encourage drainage of land that has an agricultural value; 2nd. To discourage or prevent drainage of land that is worthless after it is drained; 3rd. To prevent in the future misrepresentations of the value of drained land for agricultural purpose; 4th. To determine for certain that any drainage project that is undertaken is feasible and when completed will actually drain the soil affected by it. This is necessary to save the land holders from large drainage taxes to pay for projects of that kind that are worthless after completed.

When it appears that it is necessary to enter upon the waters of any navigable stream or to acquire and remove any dam or obstruction from the stream, the matter is referred to the Railroad Commission at once. If the Railroad Commission, after a hearing, shall find that the public health and public welfare will be promoted by the removal of any dam or other obstruction from a navigable stream, and that the work proposed is necessary to the proper operation of the drainage system and will not impair the navigability or other public right in any such waters or stream, then and then only, is permission and authority granted to the drainage commissioners to proceed with the work. If it is necessary to remove any dam or interfere with the waters of any navigable stream before proceeding further, the drainage district must procure by purchase or condemnation proceedings the riparian rights, rights of flowage, dams and water power affected, whether the same be within or beyond the limits of the drainage district.

SOLDIERS' VOTE

Chapter 2 of the Special Session of 1916 was enacted to enable members of the Wisconsin National Guard who were on duty outside of the state of Wisconsin to vote at general elections, or at special elections when held to fill a vacancy in an office required to be filled in the first instance at a general election.

Under the provisions of this law the members of the Wisconsin National Guard were permitted to cast their vote at the general election, notwithstanding the fact that they were in Texas, and I am informed it worked very satisfactorily.

Since that time, however, the Wisconsin National Guard has been mobilized into the federal service and the law passed at the special session of 1916 is no longer applicable, and must be amended to meet the new situation.

The Adjutant General of the War Department at Washington has given orders that upon application to the commanding officer of the department or division for permission to secure and take the vote of officers and men of any state serving in said command and within the borders of the United States, such commanding officer shall specify the place or places where such officers and soldiers may vote, and shall allow the properly qualified election officers of the state an opportunity to secure the votes of its citizens in such command.

In conformity with such order of the Adjutant General, I have had prepared for your consideration a bill amending the 1916 act, broadening its provisions so as to permit the qualified electors of this state in the military service of the United States to vote whenever 200 or more of them are stationed in any place outside of the borders of this state but within the territorial limits of the United States. Being that the state has to send a special messenger to collect these votes I deem it wise to provide that such messenger shall be sent only when there are 200 or more electors at any one place, and that wherever there are less than 200 stationed at any one place they will be permitted to vote under the envelope method of absent voting. These two methods of voting combined will permit every voter of this state who is absent from his place of residence on account of service in the military forces of the United States or of this state to exercise his right of suffrage.

AUTOMOBILE LICENSE

It has been brought to my attention that under the present statute manufacturers and dealers of automobiles cannot transport automobiles under their own power from the place of manufacture to the place of the dealer under a manufacturer's or dealer's license but that a private license must be obtained for each car.

In view of the fact that government regulations now provide that automobiles which are to be transported from the place of

manufacture to the dealer within a certain radius must be transported under their own power instead of being shipped by rail, I deem it but fair to permit such dealer or manufacturer to so transport such automobile under a manufacturer's or dealer's license. If they were shipped by rail no license whatever would be necessary. Additional number plates may be obtained by a manufacturer or dealer at fifty cents each, and it is, therefore, no hardship to obtain extra number plates for these cars, but it would be if they were required, as under the present statute, to pay from ten to twenty-five dollars for an individual license for each car.

TEACHERS' SALARIES

I have an urgent request from the teachers of the graded schools of Milwaukee that you pass an act increasing the mill tax in the city of Milwaukee in a sufficient sum to enable the school board of that city to grant them an increase in salaries during the period of the war and one year thereafter.

I have a like application from the teachers in the State Normal Schools, who are making a strong demand for an increase in their salaries.

In both cases the increase demanded is predicated upon the high cost of living. It appears to me from an examination of the salary schedules that some concessions should be made in both cases. That our teachers are rendering a valuable service no one will attempt to deny. It follows then that they should receive a compensation which will enable them to maintain a standard of living that is in keeping with their profession. The standard of salaries should, however, in the former case, be established by the School Board of Milwaukee, and in the latter by the Board of Regents of the Normal Schools.

I have asked both of these governing bodies to furnish me a statement showing the increases that in their judgment are justified, the class of teachers to whom this should apply, and also answer the question whether the money that is now available is sufficient to grant such increase—in other words, whether it is really necessary in either case to give an additional income, by special act of the Legislature, to give the teachers fair and just compensation under the present circumstances.

I am without definite reply from these boards and I shall ask them to appear before you to explain the condition of their finances, to present the demands of the teachers and give their justification for increased incomes.

MILWAUKEE COUNTY CIVIL SERVICE LAW

The County Civil Service Commission of Milwaukee county, together with the Joint Committee of Judiciary and Finance of the County Board of that county, have agreed to certain amendments to the civil service law affecting Milwaukee county, whereby certain officers who are now in the unclassified service are to be transferred to the classified service.

If this agreement meets with your approval the assistant district attorneys, register in probate, assistant register in probate, jailer and county auditor in Milwaukee County will be transferred from the unclassified to the classified service. I submit this matter for your serious consideration.

ADDITIONAL NURSES

There is a call for additional nurses by the government, to meet the requirements of the war. In order to meet this requirement it is recommended by the State Board of Medical Examiners and by the Association of Graduate Nurses that college graduates who have had a course in physics, biology and chemistry, shall receive a credit of nine months, which would allow them to graduate in two years and three months from a nurses' school. I believe this to be a wise provision and I recommend it to you for your consideration.

CHILD LABOR LAWS

Section 1728a—11, which relates to child labor laws, is not in harmony with the balance of our statutes upon that subject. The Industrial Commission recommends that this law be repealed and I submit it to you for your consideration.

I recommend that sections 1728p to 1728za, inclusive, and otherwise known as the "street trade law," be amended so as to extend its provisions to cities of the second, third and fourth classes.

AGRICULTURAL AGENTS

The necessities of the war make it necessary to increase our agricultural area, as far as possible, in order that we may raise food for ourselves and our allies. I recommend that two additional county agricultural representatives be authorized and that you make an appropriation therefor.

HOUSE OF CORRECTION

The Milwaukee House of Correction desires to employ a number of its prisoners at road work and other employment outside of the prison walls. I regard it in the interest of the prisoners that they be given such employment, particularly in agricultural work and road building. It is the experience of the state that prisoners taken from the state institutions and thus employed are benefited physically and morally. Furthermore, it gives them an opportunity to earn their own living, which is right and proper.

In the case of the Milwaukee institution there is no law under which prisoners who escape while thus employed outside of the prison walls can be punished, and I recommend that you provide penalties for escape when so employed.

SEDITION

There comes a strong demand from various sections of the state for legislation which will prohibit inciting or attempting to incite or aiding in inciting insurrection or sedition, and prohibiting the teaching or advocating of disloyalty to the national government, and prohibiting interfering with or discouraging preparations for national or state defense.

There should be no legislation which attempts to interfere with the guaranteed right of free speech or freedom of the press, and I will not agree to any provision of law which is intended to interfere with the reasonable exercise of these rights. We must expect, however, and particularly if the war is of long duration, that agitators will spring up among us who will wish to interfere with the proper functions of the state in its effort to carry out the wishes of the federal government. Such actions should not be tolerated, and any act upon the part of a citizen or any body

of citizens or any newspaper or other publication, the clear purpose of which is to incite people to opposition to the government, either by discouraging military service or any other helpful cooperation, should be forbidden by law and the guilty persons punished therefor.

This does not mean that there may not be criticism of the government. Constructive criticism is helpful and if made in the right spirit is in no sense objectionable. People should have the right to assemble and discuss the best interests of our country. The press should retain the right to criticise any shortcoming of the government; nor should any speaker be interfered with who calls attention to any weakness in our government, whether it appertains to the management of the war or any other activity.

These privileges are all helpful when indulged in by honest people in an honest way. In other words, there is no harm in truth. Harm comes from falsehood, deliberate falsehood. There will be no difference of opinion among honest men on the question of stating facts, nor can there be any difference among honest men on the propriety of punishing the deliberate liar.

The bill that will be presented to you upon this subject is substantially the law in several representative states. I submit it to you for your consideration. I am firmly of the opinion that if enacted into law no harm can come under it to any good citizen, and those to whom this term cannot be applied we need not give any special concern.

SKIM MILK CHEESE

Owing to the scarcity of food and the high price that our people are now compelled to pay for it, it is incumbent upon us to conserve all products that are fit for human consumption. Several years ago a law was passed in this state which forbids the manufacture of cheese from skimmed milk, except in a form that in practice was found impossible. It was in one respect a wise provision because it prohibited the sale of an inferior article for full cream cheese, which was a fraud on the public and at the same time an injury to the reputation of our Wisconsin product in the markets of the country. As a result of that statute millions of gallons of skimmed milk are daily fed to the calves and the swine on our farms, that could be and should be converted into human food, particularly now.

I recommend that you pass an act which will authorize the manufacture of skim milk cheese in this state in such forms and shapes as will make it impossible to sell it as a substitute or an imitation of full cream cheese. Many varieties of skim milk cheese are made in this state now in a small way, but in violation of our law. The statute should be so amended as to permit this.

A law authorizing the manufacture of skim milk cheese under proper restriction has the further advantage that it enables the buttermaker to use this by-product and realize a considerable sum of money from it. This will, to some extent at least, enable him to meet the prices that are being paid for milk for other uses. We must not discourage butter production. It will not do to convert all the milk that we produce into one commodity or two commodities. Butter is as essential for human food as the other products that are made of milk, and as matters stand today the buttermaker is at a decided disadvantage as against the users of milk for other commodities.

I ask you to consider this question carefully and enact such legislation as will: 1st. Conserve this valuable food product, and 2nd. Give the buttermakers of the state a chance to compete for the milk that is produced.

VENEREAL DISEASES

The National Council of Defense and the Surgeon-General of the United States have made an urgent appeal for further legislation controlling venereal diseases. The object is to further protect the young men who are selected for military service, and I ask your consideration of the bill which will be submitted to you upon this subject. It has been studied by the Health Department of this state and has the general approval of physicians who have been consulted upon the subject.

UNION GROVE

A further appropriation is necessary to complete and equip the Home for the Feeble-Minded at Union Grove. The requirements will be fully explained by the Board of Control and the Chief Engineer of the State.

BANKING LAW

Under our banking law a state bank cannot pledge any of its assets to any depositor. That act makes it impossible for the state banks to secure deposits from the national government. I have been urgently requested by the treasurer of the United States that you so amend our banking act that it will be possible for our state banks to deposit a part of their assets with the regional banks, in order that the money that is realized from the sale of liberty bonds may be held in the state banks where the sale is made until such time as the government requires it. The amount of assets so deposited with the regional banks should in no case exceed the sum of the capital stock and the surplus of the bank.

The frequent bond issues by the government, made necessary on account of the war, make this legislation advisable for two reasons:

1st. It will reserve to the banks, for a time at least, the amount of money that is invested in government bonds, and in that manner protect the working capital of the bank.

2nd. It will encourage the purchase of government bonds by the banks, which is absolutely necessary if we are going to do our part towards financing the government during the period of the war.

I would not advise that this privilege be extended beyond one year after the close of the war. Our state banking system has been good and I would not recommend any radical departure from its laws that have so far governed them were it a time of peace. However the situation has been changed in this state, as elsewhere, and we must adjust ourselves to it, and during the period of the war we must place ourselves in position to give the government every possible aid. I, therefore, recommend that you give the bill that will be presented upon this subject your thoughtful consideration.

THE VACANCY IN THE UNITED STATES SENATE

The death of United States Senator Paul O. Husting created a vacancy from the state in the United States Senate. In my call for a special session I have asked you to make provision for the filling of vacanies in the office of United States Senator by granting the Governor power to make a temporary appointment until the next succeeding general election.

The Constitution of the United States, from the time it was originally adopted until the Seventeenth Amendment was ratified by the states, gave the Governor of each state the power to make temporary appointments in the office of United States Senator when a vacancy happened during the recess of the Legislature, such temporary appointment to hold until the next meeting of the Legislature.

The Seventeenth Amendment contains a provision under which the Legislature of any state may empower the Governor to make temporary appointment until the people fill the vacancy by election. The similarity between the original constitutional provision and the amendment are strikingly apparent.

Under the original provision the Legislature elected the United States Senator, and when a vacancy occurred during a recess of the Legislature, the Governor was given the power to appoint until the next meeting of the Legislature, when the vacancy was filled by the Legislature.

Under the Amendment the people elect the United States Senator, and it is provided that the Legislature may empower the Governor to make temporary appointment until the people fill the vancancy by election.

The right of the Legislature to make provision for temporary appointments by the Governor has been recognized by thirty-four states. The states whose Legislatures have given the power of appointment to their Governors are as follows:

Arizona, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont and Virginia.

This action by so large a number of representative states should completely silence the argument that the Constitution is in itself mandatory and that the Governor is thereby compelled to immediately call a special election whenever a vacancy occurs in the United States Senate.

While it is true that the Seventeenth Amendment provides that "When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies," yet it will be observed

that there is no provision as to when the executive authority shall issue the writs of election; nor when such election shall be held if writs are issued, and no provision whatever is made for special elections.

The Seventeenth Amendment is not self-executing. It needs legislation to vitalize its provisions. The Legislature of this state has provided that if a vacancy occurs not more than four months nor less than twenty days before a general election, the vacancy may be filled at such election; no provision being made for filling a vacancy thus occurring at any other time than the general election. The same section of the statutes, however, provides that if such vacancy occurs more than four months or less than twenty days before a general election the vacancy may be filled at a special election, and then follows this significant provision, "if the vacancy is not filled at a special election it may be filled at any subsequent general election before the end of the term."

The language of this statute does not obligate the Governor to fill the vacancy at a special election, and expressly provides what shall happen in case he does not do so, namely, that the vacancy may be filled at any subsequent general election before the end of the term.

This provision of the statute is not mandatory upon the Governor, but purely directory. Application was made to former Attorney-General Walter C. Owen that he begin an action of mandamus against the Governor to compel the calling of a special election. This application was refused. After Mr. Owen took his seat on the Supreme Bench and Mr. Spencer Haven had been appointed Attorney-General in his place the application was renewed and was again refused. An action of mandamus has subsequently been commenced in the Supreme Court to compel the Governor to call a special election. This matter will not be decided by the Supreme Court in all probability until after you have finished your deliberations and returned to your respective homes. The action relates solely to filling vacancies at special elections and has nothing whatever to do and in no way conflicts with the filling of vacancies by appointment, the power that I have asked you to confer upon the Governor.

Believing the statute to be directory only I have not felt that the law compels me to call a special election, and I feel that the best interests of the state demand that I shall not do so at this

time. In discussing the reasons for my course in this matter I wish to say in the outset that I have no quarrel with any man or any newspaper that honestly believes that the calling of a special election to fill this vacancy is the proper course to follow. I maintain, however, that the position of some newspapers and some men in the state upon this question has been influenced by political interest rather than any desire to be helpful to the state.

Perhaps the strongest argument that has been presented by the friends of a special election is the demand that the electorate of the state be given an opportunity to give an expression of loyalty to the United States government during this time of a great crisis on account of the war.

My reply to that argument is that the state of Wisconsin has already proven its loyalty by actions that are a stronger proof than the result of any special election would be, held at this time, under the many difficulties that make a full and free expression by the people impossible. Furthermore, the result of such an election may be influenced by a confusion of issues which would give further opportunity to misrepresent the will of the people of this state upon the real questions of the war.

The condition of our country highways, on account of the deep snow and the severe weather, make country travel next to impossible. A campaign of education that would enlighten the people on the issues of the war and the position of the senatorial candidates would, therefore, be impossible at this time; nor could we reasonably expect to attract any large number of voters to the polls.

It has been suggested that the special election should be called at the time of the regular spring elections. While that would relieve the people of part of the expense, it would not save the cost of a senatorial primary. Furthermore, it is a recognized principle in our election laws that spring elections shall be kept non-partisan. It is a time when we elect our judges and educational officers and those positions should not be forced into politics. Therefore any statute that you may enact controlling the filling of vacancies in the United States Senate should not provide for an election at that time.

The cost of a special election is large. Taking all expenditures into account it would probably reach $200,000.00. Although this sum of money is scoffed at by some election advocates and de-

clared to be a mere bagatelle I cannot take that view of public expenditures. Furthermore, this is a time when great demand is made upon the people's resources and they can ill afford to spend their time and money on election projects that at best would produce doubtful results.

No man who is a friend of this state will question the loyalty of our people. I cannot here declare that every man in this Commonwealth is a patriot, and I daresay that no other Governor in this Union of states will rise and make such a claim for his people. The great masses, however, cannot be judged by the actions of a few, and I maintain that nothing has transpired in this state that justifies any man or set of men to demand that a census be taken upon the question of the loyalty of our people.

Furthermore, the great mass of sensible and hard working people of this state who have done and are now doing their utmost to support our national government in these days of trouble will not wish to halt and devote their time and energies to a special election. No result can be obtained through it that will add strength to our government that cannot be obtained by an appointment.

If the right to fill this vacancy temporarily is given to me I shall select a man of tried ability and patriotism. My willingness to take you, gentlemen of the legislature, into my confidence in making the selection, should convince you that I have no selfish purpose in it at all. My thought is to serve the people of this state and nation and for the enlightenment of those who have been made to believe that I have been controlled by a desire for personal political advancement, I want to say that I am not a candidate for the Senate and have had no thought of being one.

I ask you, gentlemen, not to be influenced in this matter by political intrigue. Such schemes are not founded upon patriotism, or even good will for the people,—they are born in selfishness. Let us not listen to those who would wish to create dissension among us in order that they may profit thereby. Let us do our duty fearlessly. Remember always that every good American has but one thought in his mind now, and that is to save his country from destruction, and in that effort we must stand together shoulder to shoulder, every man determined to do what is best for our country at all times.

EMANUEL L. PHILIPP,
Governor.

To the Honorable, the Senate:

I return herewith, without my approval, bill No. 12, S., entitled, "An act providing for borrowing of money and issuing bonds therefor for the purposes specified in section 7, article VIII of the constitution and providing for a special fund for the redemption of such bonds."

I withhold my approval of this bill for the following reasons:

This bill is held to be unconstitutional for five separate reasons:

First. Because it places the burden of carrying on a general state activity upon a small class of taxpayers only.

Second. Because it does not levy a constitutional tax to pay the bonds and interest.

Third. Because it is not within the terms of the call for the special session of the legislature.

Fourth. Because it exempts from taxation all incomes below fifteen thousand dollars.

Fifth. Because it is a surtax upon the incomes received in 1917.

The first three constitutional objections are urged against the bill by Honorable Spencer Haven, attorney general for the state, and submitted to me in an official opinion under date of February 28, 1918.

The fourth and fifth constitutional objections have been submitted to me by Attorney Charles B. Wood, of the firm of Wood & Oakley, bond attorneys, residing in Chicago, whose judgment upon the question of the validity of bonds is generally accepted by the leading bond houses of the country, and who was referred to upon the floor of the senate by the author of this bill as competent authority upon the constitutionality of the bond issue proposed by this bill. In submitting the bill to this firm of attorneys, I did so with the feeling that I was complying with the wishes of the senate. Their opinion is contained in a letter to me under date of February 25, 1918, and is on file in my office.

I believe the bond to be unsalable for the reason that the bill creates a bond that is payable in one year at an annual interest rate of five per cent, to be sold at not less than par. This type of security would be salable to bankers only and comes in competition with short time notes and commercial paper. The ruling rate of interest that is being paid for that type of securities at this time is from six to seven per cent per annum. While the bonds would be gilt-edged (if the act that created them were

constitutional) they will bring no more in the market than well secured commercial paper or equally good short time notes.

This bill undertakes a system of taxation that is new in the state of Wisconsin. It was understood to be an excess profit tax, when, in fact, it is not an excess profit tax but an additional income tax. I understand an excess profits tax to be a tax upon incomes received from investments in excess of certain reasonable returns. This bill proposes a tax on incomes in excess of fifteen thousand dollars, regardless of the amount of capital required to make that amount of profit.

It is a new form of taxation because it seeks to levy a graded income tax upon all profits of fifteen thousand dollars and more, such taxes to be applied not to general purposes of the state but to certain specific public expenditures.

If that theory of taxation were enacted into law the people might be arranged in classes and the payment of the cost of public activities allotted to them according to the class to which they belong. This is contrary to the thus far established policy of this state that taxes shall be levied for general state purposes.

I am not seeking to protect the class known as war profiteers, however, the exclusive privilege of taxing that type of excess profits should be conceded to the United States government during the period of the war. It is the one source from which the government must derive the larger part of its income. I do not maintain that excessive profits are sufficiently taxed. In fact, I am firmly of the opinion that persons, firms and corporations who make an unusual profit now, and which is in excess of the profit made before the war, should be made to pay liberally to the support of the government, so that the term "profiteers" will grow in disuse. There is, however, a wide difference between a normal income that this bill seeks to tax and the excessive profits made by the profiteering class.

I stated to you in my message that it is proposed to use the bond issue which I recommended to you to refund certain moneys which have been taken from the general fund of the state treasury, under authority of law, to clothe and equip the men of our National Guard before they undertook their trip to Texas in the service of the United States government.

The full amount thus expended constitutes a claim against the United States government and will be repaid to the state at some

future time, when congress would be willing to make an appropriation for such purposes. Like the claim that the state had against the government in the 60's, the money will be returned with interest. There is reason to believe that the people of the state would not be called upon to pay the bonds under the plan that I proposed to you, because the government may refund the money before the bonds come due. It is, however, necessary to use the credit of the state to carry the amount until the government makes the refund.

Under the plan of this bill the amount is raised by taxation immediately. When the money is returned by the government it will go into the general fund of the state and will be used for general purposes, so that in the end the money collected from a comparatively small number of people for a specific purpose will find its way back into the state treasury to be used for general purposes. That may be good politics, but it is manifestly unfair.

Complaint was made by the promoters of this bill that the bond issue which I proposed did not exempt the poor, and the usual empty-handed political sympathy was extended to them. Although, as stated above, there is no valid reason to believe that this proposed bond issue is any more than a temporary loan to the United States government, I will assume, for the sake of the argument, that the people might ultimately be called upon to pay it. The money has been used for the benefit of the brave Wisconsin boys who enlisted in our National Guard and are now in France. That the money has been wisely spent has not been questioned; nor has it anywhere been denied that they were greatly helped by it.

The services of these men are appreciated by the people of this state and I will not believe that people in moderate circumstances would wish that they be excluded from the privilege of giving their mite towards this fund, so that they too may give public expression of their appreciation of the splendid military organization, the Wisconsin National Guard.

It must seem small indeed to those who have been benefited by this money that an attempt should be made to create a political issue of the clothing, the food and the other necessities and comforts that we gave them when they left their homes.

Respectfully submitted, EMANUEL L. PHILIPP,
Dated, February 28, 1918. *Governor.*

To the Honorable, the Assembly:

I herewith return, without my approval, bill No. 5, A.

This bill provides that county boards may increase the appropriations for county councils of defense from three one-hundredths of one mill to three-tenths of one mill.

Any law passed at a special session of the legislature must comply with the constitutional provision regarding the calling of special sessions of the legislature in order to be valid.

Section 11 of Article IV of the constitution provides that no business can be transacted at a special session of the legislature except as shall be necessary to accomplish the special purposes for which it was convened.

The special purposes for which a legislature is convened is contained, of course, in the proclamation calling for the special session.

My proclamation calling for the present special session did not specifically include as one of the special purposes for which it was to convene, the authorizing of county boards to increase the sums that they might appropriate for the benefit of county councils of defense. Nothing on that subject was specifically mentioned in the call.

This bill cannot, therefore, be sustained by reason of any express provision of my proclamation.

The only provision of the call under which it could possibly be claimed to be sustained is the fifteenth subject of the call which reads as follows: "To enact legislation prohibiting inciting or attempting to incite or aiding in inciting insurrection or sedition, and prohibiting the teaching or advocating of disloyalty to the national government or opposition to the state government, and prohibiting interfering with or discouraging preparation for national or state defense, and enacting such other legislation as will protect our citizens during time of war and providing suitable punishments and penalties therefor."

All of the purposes specified in this fifteenth subject of the call are specific except "and enacting such other legislation as will protect our citizens during time of war." This bill cannot be sustained as being within any of the specific purposes mentioned in this fifteenth subject, and, therefore, if sustained at all it must be by virtue of the words "and enacting such other and providing suitable punishments and penalties therefor."

A familiar rule of construction adopted by all courts is the rule of noscitur a sociis. Under this familiar rule the words "and enacting such other legislation as will protect our citizens during time of war" must be limited to protection of the same nature, kind, or class as that theretofore specifically enumerated. All the things specifically enumerated are criminal and, therefore, "such other legislation as will protect our citizens during the time of war" must be confined to other criminal legislation which will protect our citizens during time of war.

This is the more apparent from the concluding words of the fifteenth subject of the call "and providing suitable punishment and penalties therefor." The word "therefor" refers not only to those things specifically enumerated, but also those things which may be included under the broader term "other legislation." Therefore the "other legislation" which may be enacted under the fifteenth subject of the call must be other legislation which would carry a punishment or a penalty for its violation—in other words, a criminal statute and not a statute such as the bill now under consideration would be if it were to become a law.

I am clearly of the opinion that bill No. 5, A., is not within the special purposes for which you were convened and, therefore, if enacted into law would be void and of no effect.

I am not unmindful of the doctrine that within the limits of the special purposes for which you were called you may act freely, in whole or in part, or not at all, as you may deem expedient and according to your own judgment, but you cannot legally legislate upon business not named in the call. In re Governor's Proclamation, 35 Pac. 530.

If the bill under consideration is not within the terms of the call, and, therefore, if enacted into law would be null and void, all tax levies in counties where the boards had appropriated money under its pretended authorization would likewise be null and void, and any taxpayer could question both the validity of the act and the tax levy. This would result in much litigation and might greatly embarrass the collection of taxes in many of the counties of the state.

The only safe course to pursue is to permit the present law to stand until the next regular session of the legislature.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, March 6, 1918.

GOVERNOR'S MESSAGE

September 24, 1918.

Gentlemen of the Legislature:

The new conscription act which was recently passed by Congress and approved by the President definitely binds the country to the policy of consecrating its entire energy to the winning of the war as quickly as possible.

The new act fixes the age limits from 18-45, both inclusive. The new military program as outlined by the Secretary of War calls for the increase of the army by more than two million men by July 1st, 1919. This necessitates the mobilization of all physically fit registrants under twenty-one years of age as promptly as possible.

In order that these young men who are now being called to the colors may be given an opportunity to continue their education, the United States War Department Committee on Education and Special Training (General Staff) proposes to establish military training schools at the educational institutions of the states so that these young soldiers may continue their studies as long as military necessities will permit and at the same time receive their military training. This system will apply to all institutions of collegiate grade which enroll for the course one hundred or more able-bodied male students over eighteen, and may also be applied to other institutions approved by the War Department Committee. The qualifications required for entry are the same as heretofore—graduation from a high school or other accredited school of like grade will be necessary for admission to what is to be known as the Students' Army Training Corps.

Provision is also made for the young men who have not graduated from high schools or similar institutions and who may wish to take advantage of a course in vocational training. Young men in that situation must make their application to their Local

Draft Boards and receive their recommendations to the schools that they wish to enter. It must be understood, however, that these opportunities are open only when a call is made upon the state for men of vocational training.

The young men who take advantage of these special training courses will, upon entry, enlist in the army of the United States and will be subject to call into the regular service at the will of the government. They will receive their clothing, equipment and subsistence—in fact, they will in all respects be treated as are enlisted men in other military camps, with the additional privilege, however, that they will be given an opportunity to devote part of their time to their general education.

The carrying out of this plan necessitates the building of barracks and other necessary quarters, and it is proposed that such temporary buildings be erected at the university and at such normal schools as will be able to qualify under the rules established by the government. No appropriations are available now for the construction of the necessary buildings and I have called you in extraordinary session to meet this requirement.

The University has sufficient money in its appropriation funds to erect and rent the necessary buildings and to operate a Student Army Training Corps, but requires authority from the Legislature to use the money needed for the purpose stated.

The indications are that all of our normal schools will also be able to qualify and to operate as units of the Student Army Training Corps. I am advised by the Board of Regents of Normal Schools that they require an appropriation of $140,000.00 to erect the barracks and mess halls and secure the necessary equipment and that in addition they will require approximately $60,000.00 as a revolving fund to provide the subsistence until the collections can be made from the United States Government. It is the purpose of the United States Government to enter into contracts with the University and the Normal Schools under which a fee for tuition and a per diem rate for subsistence will be established, such fees and rates to be sufficiently large to compensate the state for the entire outlay of money for housing and subsistence and part of the outlay for instruction, to the end that after the service has been rendered the government will have repaid to the state treasury a very large part, if not all, of the entire expenditure.

I regard the project as a worthy one both in the interest of our young men and in the interest of the army, and I therefore recommend that you authorize the appropriations as provided in a bill which has been prepared and will be submitted to you.

In order that there be a central control over this work I recommend that the appropriation be made to the State Board of Education and that the same be made available when a satisfactory rate for subsistence and the tuition fee has been agreed to by contract and the specifications for buildings are approved by the United States Government and the State Engineering Department and all the requirements have been met by the schools which make application for these funds.

The law should further direct that each school which takes advantage of this arrangement with the government make a monthly report to the State Board of Education of its receipts and expenditures, the fees and tuitions and the cost of subsistence, and the amount due from the government for the same.

It is of first importance that this state shall again succeed in selling its quota of Liberty Bonds to our people. It is represented that large sums of money are held by municipalities that may be used to purchase government securities. A bill has been prepared and will be presented to you which will authorize municipalities to use funds for that purpose, and I urge you to pass the same promptly and make such funds immediately available for the purchase of Liberty Bonds and other government securities that are offered for sale now.

It is fitting that I should again express my high appreciation of the splendid cooperation that the people of our state are giving in support of the war. We have thus far met every requirement of the government in a liberal manner and this commonwealth has won the proud reputation of being one of the first states in the Union in its cooperation with the Federal Government in the support of the war. I sincerely hope that this fine spirit will live among us until our army and naval forces and the forces of our Allies have achieved the final victory. The government expenditures are necessarily large and the bond sales and the tax collections that will follow will cause us to reach down deep into our pockets. I hope, however, that every man will give all that he can. He who gives all he can afford, whether the amount be large or small, is rendering a real service to his

country. Let us remember always that it matters not what the war may cost, no price is too great for human liberty.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

REPORT ON CONTINGENT FUND

To the Honorable, the Legislature:

Pursuant to the requirements of law, I have the honor to report the following expenditures from the Governor's Contingent Fund, during the period beginning on the first day of January, 1917, and ending at noon on the sixth day of January, 1919:

RECEIPTS.

Cash on hand January 2, 1917	$ 160.29	
March 5, 1917, cash from State Treasurer	1,500.00	
July 21, 1917, cash from State Treasurer	1,000.00	
January 5, 1918, refund on Notary Public Commission	4.08	
April 1, 1918, cash from State Treasurer	1,500.00	
		$4,164.37

DISBURSEMENTS.

Mar. 6, 1917, Supt. Public Property, repairs	$ 384.00
Mar. 23, 1917, C. W. Croty, services	225.00
Apr. 2, 1917, George B. Hudnall, legal services	350.00
Apr. 17, 1917, Ivan Kantcheff, services	25.00
Apr. 26, 1917, Ivan Kantcheff, services	100.14
June 13, 1917, Extra stenographic services	50.00
July 2, 1918, Supt. Public Property, repairs	296.88
July 16, 1918, George B. Hudnall, legal services	408.35
July 23, 1918, Spooner-McConnell Co.	23.33
Nov. 21, 1918, W. N. Fitzgerald, expenses	100.00
Nov. 21, 1918, E. Davenport, Dean of Univ. of Ill., expenses in milk controversy	61.83
Nov. 21, 1918, F. A. Pearson, expenses in milk controversy	20.67
Nov. 21, 1918, H. L. Russell, Dean of Univ. of Wis., expenses in milk controversy	26.22

Nov. 23, 1918, A. B. Beecroft, expenses of Gov. Upham to Vicksburg Reunion	48.70	
Nov. 26, 1918, Sidney Hirsch Co., Uniform for messenger	60.00	
Apr. 1, 1918, George B. Hudnall, legal services	125.72	
Oct. 8, 1918, George B. Hudnall, legal services	212.85	
Nov. 26, 1918, Effie L. Lord, stenographic services	15.00	
Dec. 31, 1918, E. L. Philipp, expenses governors' conference	123.40	
Newspaper subscriptions	512.51	
		$3,169.60
Cash on hand		$ 994.77
Under Section 172—2 Executive Department receives a contingent fund of $2,000.00 per annum. There remains to the credit of this department on books of Secretary of State		3,000.00
Total balance in contingent fund		$3,994.77

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

January 7, 1919.

1919 SESSION.

Regular Session Began January 8, 1919:
Ended July 30, 1919.

Special Session Began September 4, 1919:
Ended September 8, 1919.

GOVERNOR'S MESSAGE.

January 9, 1919.

To the Senate and Assembly:

The Legislature of 1917 was confronted with the problems of the war. How to raise men and money and at the same time carry on the industries and expand agriculture, in order to increase the food production, and the numerous other activities that needed to be carried on that Wisconsin might do her full share in the great world war, were problems that confronted us at that time.

I am happy to be able to report that the people of this commonwealth met every demand made upon them by the federal government completely, promptly and with enthusiasm. That this state has made a reputation for patriotic cooperation in support of our government and the soldierly qualities of the men that we furnished for the army and navy that is second to no state in the Union, is now generally admitted. In view of the campaign of vile slander that was carried on quite generally throughout the country against our state by an element of politicians and a political press in their effort to make it appear to the balance of the country that a large number of our people were pro-German in their sentiments and therefore disloyal, it is a source of great satisfaction to me to review, even briefly as I must in this document, the splendid record which the state made during the period of the war.

The patriotic sentiment of our people was reflected in the generous response of our young men to the call of the President of the United States to join the colors. The Wisconsin National Guard was the first military unit organized. The authority for the enlistment of these men was found in the National Defense Act, which was passed by Congress in 1916.

Under that act we had enlisted and fully equipped ready for entrainment when the order was received from the national government	16,000
Number of volunteer recruits sent to join the National Guard at Camp MacArthur	2,000
Enlistments in the United States Navy, Regular Army and National Guard since in the United States service	10,000
Number of men drafted under the Selective Service Act, approximately	90,000

Making a total of 118,000 men who entered the service from the state of Wisconsin of whom we have a record. There may be added to this number those who enlisted prior to April 1, 1917; also a large number of Wisconsin men who enlisted in Minnesota, Michigan and Illinois. We cannot determine this number definitely because we have so far been unable to secure the records from the government. We believe, however, that 10,000 would be a conservative estimate, which would bring the total number of men in the service of the army and navy from this state to 128,000.

I should not fail to state that a call for volunteers at all times met with a most generous response and the 90,000 men who were taken into the service under the Selective Draft Act responded without protest. The records of the Draft Boards show but few cases where it was necessary to force a compliance with their orders.

The splendid service rendered by Wisconsin men to whom was given the privilege to enter the field of operations is a matter of public knowledge and has been widely commented upon by the press of the country. The three companies that were taken from the National Guard and placed in the Rainbow Division, and the National Guard which is part of the 32nd Division took part in some of the hardest fought battles of 1918. Their praise comes to us from the American and French generals who commanded them, and their work will constitute one of the brilliant pages of history of the great world war. I have full faith in the patriotic spirit of our young manhood and if it had been the privilege of the entire force of Wisconsin men to meet the enemy on the field of battle I am sure that they too would have

proven their soldierly qualities and would have given a splendid account of themselves.

The activities that were carried on in the state in support of the army and in the aid of the requirements of the government were numerous and successful. Immediately after the passage of the Selective Draft Law I organized 105 Draft Boards, as the law directed; also five District Boards or Boards of Appeal. These boards administered the Selective Draft Act in a most successful manner and it should be a matter of pride to the people of Wisconsin to receive the statement from the Provost Marshal General of the United States, who has charge of the administration of the Selective Draft Act, giving the state one of the first places among the states in the Union in the successful administration of the law, and it has been stated by the same authority that Wisconsin had a smaller per cent of draft delinquents than any other state in the Union, which should dispose for all time any doubt which any person may have had in his mind about the loyalty of the people of this state. It is a result that speaks for itself.

For this achievement we are indebted to the splendid work of the Draft Boards and the assistance that was given them by the lawyers and the doctors of this state, who, in the main, gave their time freely and without compensation and thereby made it possible for us to secure the prompt results that we did.

The State Council of Defense, the Red Cross organization and the various other kindred organizations all displayed great industry and zeal for the support of the army and the welfare of the country. In the collection of money for war purposes and in the purchase of bonds and other government securities our people have met every expectation of the government—in fact they have given more than was asked of them.

The Fuel and Food Administrators were nominally under the control of the Washington authorities. They were nevertheless directly connected with the state government and I feel it my duty to call your attention to the fact that both departments were successfully managed.

I wish to remind you that during the winter of 1917-18, when the eastern states and some of the middle western states were sorely pressed for fuel, Wisconsin had a sufficient supply, for

which we were indebted to a large extent to Fuel Administrator William N. Fitzgerald.

The Food Administration, under the direction of Mr. Magnus Swenson, has at all times had the endorsement of National Food Director, Mr. Hoover.

In all the duties that have been placed upon the state I have at all times had the full cooperation of all the state officers and employes.

I should make special mention of the patriotic work done by the splendid women of this state.

I ask you to pass resolutions recognizing the services rendered by our Wisconsin soldiers and our civilian population, laying particular stress upon the valor of our soldiers and the patriotism of our people, in order that the splendid work which has been accomplished will be made a permanent record and placed in the archives of this state for the information of future generations.

RECONSTRUCTION

The question of what should be done for the returning soldier is being widely discussed by the press and public men of the country. For those who have been wounded or otherwise disabled the course to be pursued is quite clear. They will need to be retained in the hospitals and receive the attention of doctors and nurses until they have recovered, or at least as nearly so as medical skill can accomplish their recovery. So far as I know the government has not yet announced its policy with reference to these men.

I thought it would be helpful to Wisconsin men who are wounded if they might be returned to the state where they would be close to their relatives and friends, and with that thought in mind I sent a representative to the Surgeon General of the United States for the purpose of concluding some arrangements under which hospital facilities would be provided in Wisconsin either by the government or the state under satisfactory arrangement with the government. Up to this time, however, no progress has been made with that proposal.

It has been suggested by the Secretary of the Interior that the able-bodied men who are now being discharged be given an opportunity to secure land and engage in farming. I agree with the Honorable Secretary that it would be very desirable from

the standpoint of the soldier and the state if such an opportunity were given to returning soldiers who desire it.

It has been suggested that the state lands be opened to homesteads for this purpose. It will, however, be impossible to adopt this suggestion for the reason that practically all of the so-called state lands are merely held in trust for the benefit of the various school funds and must, therefore, be sold to the highest bidder in the interest of the fund to which the land belongs. All this land that is good for agricultural purposes could be purchased, as no doubt could the cut over lands owned by private parties. The state will, however, be unable to do this for the reason that there is a constitutional prohibition against the contracting of debts by the state except for war purposes, to suppress insurrection and repel invasion.

I have suggested to the Secretary of the Interior that the lands be purchased by the United States Government and that in addition to the land there be advanced to each soldier who desires to engage in farming a sufficient sum of money to enable him to clear at least forty acres and erect the necessary buildings and purchase the live stock that he requires, the government to own the land and other property and give the soldier a reasonable time to earn the money to pay his indebtedness to the government. Insomuch as the soldier has rendered a national service the matter of giving him an opportunity to establish himself is in fact a national obligation and should as a matter of right be assumed by the United States Government. Whether the plan which I have suggested or some other plan be adopted is a matter that Congress must decide. I, however, feel confident that in whatever is done, Wisconsin will be glad to do her part.

With the signing of the armistice, the cessation of hostilities and the complete collapse of the governments of the Central Powers we have a right to assume that the war is over—at least there is no reason to expect any further hostilities between nations. Our troubles, however, are not over and if our country feels called upon to keep an army of occupation in Europe until new governments have been established and order restored in the conquered countries it will probably be a long time before the American army can return. No doubt the military units that are now on American soil and a part of our army in Europe

will be demobilized as rapidly as the War Department can accomplish it.

This project has started a wide discussion of the problem of reconstruction—in other words, the task of bringing the country from a war to a peace basis and the resumption of peaceful pursuits by our soldier and civilian population. In our own state I see no great problem before us now. The men who entered military service from the farms are badly needed at home and will find the occupation which they left, open to them; in fact, the agricultural sections are very short of labor and will be able to absorb even a far greater number than the soldiers that were taken from that occupation. In the industrial sections there has been and is now a great shortage of labor.

No doubt many changes will be necessary when the soldiers who return take up their former employment. The men who entered the army were the flower of our young manhood. They may be counted among our most efficient producers and no doubt they will be welcomed back to the employment which they left. So-called nonessential industries will offer employment to many who were drawn into the war industries and in my judgment as matters stand today the only problem is to care for the women who took the places of men in the factories and other occupations during the period of the war. The state stands ready to seek new occupations for them and for all others who may need the state's aid through its labor agencies. The United States Government is also active along the same lines and I feel confident that every job in Wisconsin will be found and that a suitable person who is seeking employment will be duly notified where employment can be found.

In my judgment the most difficult problem of reconstruction is to bring all prices down to a normal basis. There is an abundance of work in sight for all for years to come. Public and private building has been delayed and railroads require the expenditure of vast sums of money in betterments and in the building of new extensions. However, much of this necessary work will be delayed until it can be done for normal prices. In the end it will be better for all concerned if the reduction in the cost of production will be brought about by an understanding between capital and labor than to have it forced upon us by stagnation in business and enforced idleness.

The reduction in the cost of production must necessarily carry with it a corresponding reduction in the cost of living, and to meet this situation fairly, which I believe must be done, the employer's profit, the employe's wages, the cost of food, the cost of distribution and the distributor must each bear his fair share of the shrinkage. The important object to be accomplished is to bring about the necessary readjustment from a war to a peace basis without friction between labor and capital. Neither side should be permitted to take advantage of the other and all men should appreciate that the one thing to avoid at this time is business paralysis and enforced idleness.

These problems should be met in the same patriotic spirit which prompted us to aid our government during the war. We were willing to make concessions to each other then and we should do so now. Speaking in general terms, the wages which the laboring man can receive will be controlled by what the product of his labor can be sold for on the market. When wage reductions are undertaken it would be a source of much satisfaction to the laboring man and to the employes generally if they could be convinced that the rate of pay which is being offered is all that the employer can afford to pay, and that he is exacting merely a reasonable profit for himself.

I believe it would be helpful during the period of reconstruction if labor could be given access to a state board which might determine, whenever it is asked to do so, whether the wage which is being paid as a reasonable compensation in view of the selling price of labor's product. I feel confident that a statement from state authority that the rate of pay offered is a fair compensation based upon the value of the product produced would go far towards maintaining a satisfactory relation between capital and labor.

I recommend that you pass an act creating a commission, to consist of manufacturers and laborers, which shall have the power to investigate any manufacturer or business that employs labor and determine whether the wages offered are a reasonable compensation for the services performed, and whether the rate paid is all that can reasonably be expected to be paid under existing business conditions and the price obtainable for the product manufactured; also whether the wages offered are sufficient to guaran-

tee a fair living under the conditions existing including the price of food.

It is not my thought that this commission shall have the right to fix wages. Its functions should be to determine what is right and fair between employer and employe. I believe when that is established we may safely leave the final adjustments to them. The commission which I recommend should have the power to employ the necessary accountants, the commissioners themselves to receive only a reasonable per diem for services actually performed and the life of the commission may be limited to two years.

What to do with our railroads is one of the serious problems that confronts Congress at this time. In our own state we need a better passenger service, a more liberal freight service and lower rates, both passenger and freight. As I understand it, many lines are now being operated with a growing deficit under their government contracts. Under those conditions we cannot look for any substantial reduction in rates or improved and more costly service unless the government stands ready to make good further and larger deficits.

The cost of transportation plays an important part in the problems of reconstruction. If business is going to be re-established on a paying basis that will enable the employer to pay big wages it will be necessary to seek new markets in order to secure the volume of trade. The present system of high rates that are inflexible, except as they are still further advanced, do not promise any substantial aid to the shipper in his efforts to widen his field; nor shall we be able to extend our commerce to foreign countries on the combination of rates now made for land and water transportation.

I believe it to be a general demand among the people that we put transportation back to somewhere near the basis that it was before the roads were taken over by the government for war purposes. It will be helpful to our members of Congress if you will give an expression of sentiment on this important question and I recommend that you pass a resolution demanding lower rates of transportation, better service, both freight and passenger, and a return of the railroads of this country to their owners just as soon as it is possible to do so.

MILITARY TRAINING

The beginning of the war found our country wholly unprepared. This statement applies not merely to equipment and munitions, but to our army as well. Our Regular Army consisted of only 70,000 men, a mere police force. In addition to the Regular Army we had about 200,000 National Guardsmen with more or less training.

The war demonstrated to us that we cannot again permit ourselves to lapse into this unprepared condition and there is an unmistakable sentiment in this country in favor of some type of universal training. I hope the country will not make the mistake of creating a great standing army. Whether that army may be created under the draft system or by volunteers, the fact remains that it is the beginning of a great military establishment which will mean militarism in America. It is no answer to say that a great standing army in the United States would not mean what a great standing army in any one of the European countries means. In the last analysis it is a war machine that can be used for war and war only, and its influence here will be against peace, as it has been in every other country. A great war machine wants to put itself in use. It wishes to perform the only service that it can perform, and it is, therefore, always an influence against peace.

The splendid record made by our National Guard, after a very brief training that it received in the federal service, demonstrated that it does not require four years or even two years training to make an efficient soldier. These men received their initial training in our own state; they met annually at Camp Douglas and received instructions for two weeks; the balance of the training was given them at their homes in the company armories, usually in the evening when they were not otherwise employed. Much more could have been done for the National Guard by the government if it saw fit to do so, and the men could have been brought up to a much higher standard of efficiency by giving them more time and attention.

If it is the purpose of the government to have an available army of one million men our quota would not exceed twenty-five thousand. With the proper encouragement from the government these men could be brought to a high standard of efficiency without leaving the state, and if that policy were adopted by

the government we would avoid the risk of creating militarism in our own country; nor would we take a vast army of one million or more able-bodied men continuously out of production.

On a former occasion I recommended that military training be introduced in our high schools. It could be given without interfering with the time the young boy must give to his studies, and aside from its value as a foundation for his future military training, it is equivalent to a good physical training and it has the further value of teaching the young man discipline and obedience. My former suggestion was opposed by many educators and received no consideration at the hands of the Legislature. I call your attention to it again and recommend that you give the subject your serious thought. No doubt Congress will consider the matter of creating a national army and whatever action it takes must in the end control us. It is an important matter and an expression by you to our members of Congress would, I am sure, be of value to them, as they would regard it as a word from the people upon this important subject.

FOREIGN LANGUAGES

The question whether foreign languages, and particularly German, should be taught in the schools of the state is being agitated and some definite action should be taken by your body in regard to it. The question is not new—in fact, it furnishes an interesting bit of history which I will include in this message.

The first school law, passed by the territorial legislature of 1839, provided that the trustees of each district were to prescribe the course of study for the district school. The law of 1831 declared that the town school commissioners might give advice and direction to the trustees and teachers as to the government of the schools and the studies to be pursued therein. As a matter-of-fact the selection of subjects was left almost wholly to the teachers and the district boards, the town school commissioners rarely exercising the permissive power given them. Courses of study were rarely planned. When once the textbooks were decided upon they constituted the course of study.

It was naturally assumed that only the English language would be taught in the district schools. But naturally also much latitude was permitted in the selection of subjects. It is probable

that in the districts where many of the residents were immigrants from foreign countries a desire was manifested to have the language most familiar to these people taught in addition to the English language. At any rate there seemed to have been a demand for authority to teach an additional language in the public schools, as was evidenced by a law passed by the legislative assembly in 1848, as follows:

> Section 126. Whenever the majority of the inhabitants of a school district, at any regular meeting, shall express a preference to have other languages taught in connection with the English language, it shall be the privilege of the district board to employ a teacher qualified for that purpose, and such district shall have its regular share of public moneys.

Evidence, however, has also been found indicating that immigrants from foreign countries were not responsible for the law of 1848. In the decade beginning with 1840 many young college men came to the territory from the eastern states, particularly the New England states and New York. Some of these men spent the first few years in the territory teaching school, and it is claimed that besides reading, writing, and arithmetic, the standard subjects during these years, these teachers included Latin in the course of study, and that it was probably this foreign language that was contemplated by the law.

Be that as it may, there is also no doubt that foreigners, particularly Germans, took advantage of the act of 1848 by introducing their language as an additional study in districts in which they constituted the majority of the voters.

The commissioners appointed by the legislature of 1848 to codify the laws of the territory introduced a section into the school code which for the first time named the subjects to be taught in the district schools. This section was as follows:

> Section 41. In every district school there shall be taught orthography, reading, writing, English grammar, geography, and arithmetic, during the time such school shall be kept, and such other branches of education as may be determined upon by the board.

Section 126 of the laws of 1848 which authorized the teaching of other languages besides English was not included in the revised statutes by Michael Frank, the commissioner, to whom was

delegated the task of codifying the school laws. This was done advisedly, for it was well known that Michael Frank, though of German descent, was opposed to the introduction of German or any other foreign language into the district schools. The subjects included in the course of study, as was taught, were the ones deemed essential to a good education. However, district boards were very lenient in construing section 41 of the revised statutes, and foreign language instruction was continued in many schools, and in some schools some of the required subjects were taught in a foreign language.

But there was developing an increasing demand that the fundamental subjects should be taught only in the English language. In 1852 the legislature amended section 41 by inserting the phrase, "in the English language," making the amended section read as follows:

> Section 4. In every district school there shall be taught in the English language orthography, reading, writing, English grammar, geography, and arithmetic, during the time such school shall be kept, and such branches of education as may be determined upon by the district board.

Many district boards claimed that while the law required that the subjects enumerated should be taught in the English language, the provision authorizing them to have such other branches taught as they might determine gave them the power to include the teaching of a foreign language. Not only was a foreign language taught in many districts in addition to the other subjects in the course of study, but in many instances teachers could not be found who were sufficiently conversant with the English language to teach a public school, and this scarcity of English teachers was often made the excuse for teaching all of the subjects in a foreign language. To meet this new condition the legislature of 1867 again amended the section relating to the course of study by adding the clause, "provided that no branch of study shall be taught in any other than the English language," making the amended section read as follows:

> Orthography, reading, writing, English grammar, geography, and arithmetic shall be taught in every district school, and such other branches as may be determined upon by the district boards: Provided, that no branch of study shall be taught in any other than the English language.

This section clearly contemplated a school in which all instruction was to be given in the English language. It was held by the advocates of the amendment that the great object of the public school is to educate children so as to make them good citizens and hence its instruction, discipline, and government must be of such a character as to prepare the people to discharge their duties as citizens of a country where the language of the courts, the legislature, and the people is the English language.

To secure the requisite ability on the part of the teachers to carry out this provision of the law, a certification measure was passed providing "that no person shall receive a certificate of any grade who does not write and speak the English language with facility and correctness." It was conceded that teachers who spoke other languages than the English language might be employed, and that their knowledge of, say, German or Norwegian might be of use in teaching the children of these nationalities, but that every teacher must be able to speak, write, and read English before he could be legally qualified to teach a public school.

The law, however, provoked the adherents of the idea that foreign languages should be included in the course of study of district schools, and they waged a successful campaign to vindicate the position they had taken. They succeeded in 1869 in having the legislature pass the following law:

CHAPTER 50—GENERAL LAWS OF 1869

Section 1. The district board of any school district, or the board of education of any incorporated village or city in this state, may provide for the instruction of the pupils of the common schools in their district, or such as may desire it, in any of the foreign languages, not to exceed one hour each day; provided, the teacher of such school is competent to give such instruction, or a proper instructor for such purpose can be obtained.

Section 2. All acts or parts of acts, so far as they are inconsistent with this act, are hereby repealed.

The above law was a concession to the foreign element in our population who desired to have their children read and speak their native tongue. Under it German, Norwegian, Bohemian,

Polish, or Italian was included in the curriculum in many city, village, and rural schools. In cities special teachers were generally secured to teach the foreign language decided upon by the district board or the board of education, but in country districts the regular class teacher also taught the foreign language if one was offered.

With the establishment of high schools, particularly after 1875, the teaching of foreign languages in the grades was gradually discontinued, and, as a rule, with little or no opposition. The elimination was usually effected upon the recommendation of the principal of the high school or the superintendent for pedagogical reasons. One principal relates how in 1892 he determined to restrict the teaching of German. He appeared before his board and informed the members that the children were handicapped in learning English by the fact that they also studied German, beginning with the first grade. Although the district was composed almost wholly of naturalized German citizens or their descendants, the board unanimously passed a resolution limiting the teaching of German to the seventh and eighth grades of the elementary school and the high school. The resolution went into effect without a dissenting voice from the people.

In the high schools one or two foreign languages continued to be offered, and in a few of the largest high schools Greek, Latin, French and German were included in the curriculum.

In 1889 an act concerning the education and employment of children was passed. This act amended the compulsory education law of 1879. Sections one and five of this act were as follows:

> Section 1. Every parent or other person having under his control a child between the ages of seven and fourteen years, shall annually cause such child to attend some public or private day school in the city, town or district, in which he resides, for a period not less than twelve weeks in each year.
>
> Section 5. No school shall be regarded as a school, under this act, unless there shall be taught therein, as part of the elementary education of children, reading, writing, arithmetic, and United States history, in the English language.

This act made it mandatory to teach the subjects named therein in the English language in all schools both public and private

for at least twelve weeks in the school year. Since there were laws on the statute books requiring not only the teaching of the above named subjects but several others for a much longer period than twelve weeks in the public schools, the primary purpose of the law was construed as an attempt to control, in a measure, the course of study of parochial and other private schools.

The parochial school interests of the state objected most strenuously to the provision, and it became the controlling and determining issue in the political campaign of 1890. The republicans, who were held responsible for the introduction and passage of the act, lost the election, and the democratic legislature of 1891 repealed the law.

In 1907 the law authorizing the teaching of a foreign language in the public schools was again amended by adding the italicized words:

> The district board of any school district, or the board of education of any incorporated village or city in this state, may provide for the instruction of the pupils in the common schools in their district, or such pupils as desire it, in any of the foreign languages, not to exceed one hour per day *or the equivalent thereof. Such instruction shall be given during such period or periods of the school year as the district board of education may determine; provided that the usual instruction in the regular common branches shall at all times be offered and given in English to any pupil or pupils desiring such instruction. And provided further that every pupil shall devote at least one-half of the school day to the study of English branches.*

The purpose of this amendment was not clear. While the law as amended evidently contemplated that the children who did not take the foreign language study were to be given an opportunity to continue their English studies with the regular teacher during the period devoted to the foreign language study, it also apparently gave the school boards power to devote a half day of each day to such instruction until the total amount of time that was authorized to be given to foreign language study per year was consumed. However, the difficulty of living up to the law without seriously interfering with the proper administration

of the schools was appreciated by the legislature and after a few years' trial the amendment was repealed.

However, foreign language study in the grades continued to lose ground. In the year 1914-15 foreign language study was pursued in the grades of only five cities—La Crosse, Milwaukee, Ripon, River Falls and Sheboygan, and in 218 out of 6780, one and two room district schools. In La Crosse, Ripon and Sheboygan, German was taught in the grades, and in River Falls, Latin. In Milwaukee, German, Italian and Polish were taught in the grades. Of the 218 schools under county superintendents in which foreign languages were taught, 183 taught German, 22 Scandinavian, 10 Polish, and 3 some other foreign language.

During the late war German has been eliminated from practically all the elementary schools, some of them substituting French in place of German. Nearly all of the high schools have dropped Greek and many of them have dropped German, substituting French or Spanish for these languages.

It is my opinion that we should consider this subject purely from an educational point of view. I maintain that there is not sufficient time to teach pupils in the graded or common schools of the state foreign languages.

In the interest of our children I believe that foreign languages should not be taught in the public, common or graded schools of the state. We should adjust the course of study in those schools to fit the greatest needs of those children who are obliged to leave at an early age to become breadwinners. We should give to them what they need most to meet the responsibilities of manhood and womanhood. If we crowd foreign language teaching into their short school career they will get but little out of it and the time devoted to it must be taken from studies that I deem more essential to them.

In our high schools and colleges we should, however, continue to teach foreign languages. We should do this for cultural and commercial reasons. We cannot afford to become a one language country. If we do we cannot claim to be a cultured people, nor shall we be equipped to carry on commerce with the balance of the world.

In our private and parochial schools a sufficient course of English should be carried. This should include reading, writing, American history, and civics. This is clearly in the interest

of the children, but nothing should be done that will in any way interfere with religious instructions or religious services. I take the position that he who prays to his Deity shall have the right to do so in the language of his own choice. And again, it must be understood that the right to carry on religious services in a foreign language shall not be used as a propaganda against our country and its institutions.

I maintain that a language is the property of the people and not of the government. All that is good in its literature will live, and even though we may wish to bury it today, future generations will resurrect it though the government under which it flourished be destroyed.

AMERICANIZATION

Owing to the fact that we have been engaged in war with a foreign power many people entertained grave apprehensions about the attitude of some of our own citizens and residents toward our own country. This has given rise to a demand for greater attention to Americanization of foreign born men and women who have come to our state.

It is quite generally maintained that the first step towards Americanization is to teach the foreigner the English language. It is a debatable question whether the mere understanding of the language is a guaranty of good citizenship. I am, however, in full accord with the thought that we should make a strong but not an oppressive effort in that direction.

Our state offers many facilities now for those who are willing to receive English instruction. We are spending large sums of money on night schools and continuation schools that are open to all who wish to attend. The University Extension stands ready to bring education in English, and in fact any other course, to every home.

I recommend that you create such other facilities as are reasonable in their cost, and which you may deem necessary and advisable. I will ask you, however, in framing your law to take into account the facilities that are now in existence and that are being carried on at a large cost to the people of the state.

Americanization has been carried on in this country since the foundation of the government and must continue as long as our

ports are open to immigrants from other countries. It would be well were a uniform policy established by the general government that would create a uniform system throughout the country which would become generally known to the people of other countries who desire to immigrate to this country. I think all educators will admit that it is an easy task to teach our language to the children of immigrants that come to us. It is, however, quite different with men and women who have passed the age of thirty, and particularly those whose education is deficient. I think it would be only fair to that class of people that they know before they come here what is expected of them in this respect rather than to impose a hardship on them after they are here.

MARKETING

A strong demand has grown up among our farmers for better market conditions. The last Legislature appointed a committee to study this question, and I hope that the report which will be made will offer a reasonable solution.

Agriculture is the greatest resource of our state and I feel that anything that can be done for our farmers that will provide better market facilities and give better returns should be done. Whatever is attempted along this line should be a well thought out effort that gives the assurance of being successful. It will do no good to merely create a commission without some definite plan of how the market facilities are going to be improved.

STATE LIFE INSURANCE

I wish to call your attention to the conditions of the state life insurance fund, and in that connection I submit the following report which I have received from the Commissioner of Insurance:

> "In 1911 section 1989m was enacted. This statute provided for a "State Life Fund" to be managed by the state without obligation on the part of the state except to the extent of the fund. Policies were issued in 1913—at the end of that year 239 policies had been issued granting $147,500.00 of insurance.
>
> "In 1914, 83 policies for $82,800.00 of insurance were issued and 3 policies for $3,000.00 insurance lapsed. In 1915,

71 policies for $70,500.00 insurance were issued, 2 policyholders with $2,000.00 insurance died, 1 surrendered and 5 lapsed. In 1916, 84 policies for $80,200.00 were issued, 1 policy-holder died, 3 surrendered and 14 lapsed. In 1917, 21 policies for $21,000.00 were issued, 1 surrendered and 1 lapsed. In 1918, 11 policies were issued, 5 people with $5,000.00 of insurance died, 3 people with $3,000.00 insurance surrendered and 9 people with $4,000.00 insurance lapsed.

"There are in force 461 policies for $379,700.00 of insurance.

"The Insurance Department has kept up a continuous campaign for business through circularizing available lists—state banks and local officials do not send in business."

It will be observed that the fund is now carrying a total of $379,700.00 of insurance. The total assets of the fund on January 1, 1919, were $55,676.08. The death losses for the year 1919 exceeded the expected by about 40 per cent. With so small an amount of insurance in force sharp fluctuations in mortality experience are likely to occur. A few years of unfavorable experience would deplete the surplus and impair the reserve. The state is liable only to the extent of the fund and if the reserve is impaired the policies are not worth one hundred cents on the dollar.

The state should not continue a system of life insurance that does not guarantee the full value of the policy—in fact if this type of insurance is permitted to continue I would regard it as a moral obligation on the state to make good any loss that the policyholder might sustain for the reason that the policy was sold by the state and that in itself should be a guaranty against any loss by the policyholder and I am certain that it was accepted in that spirit.

This fund is based upon the theory that desirable life insurance risks voluntarily seek insurances. That theory is unsound —they do not do so. If this enterprise is to prosper and grow, as it must to have a normal experience, it must have an organization for soliciting business. If the expense of such an organization is incurred the fund can offer no inducement not offered by privately managed life insurance companies and fraternal societies.

The present policyholders can be fully protected and their

policies guaranteed by reinsurance in a responsible company. Their present assets are sufficient for this purpose.

I recommend that you repeal the statute under which this form of life insurance is being carried and direct the Insurance Commissioner to reinsure the present policyholders in a reliable company.

"BLUE SKY LAW"

The Legislature of 1913 passed what is commonly known as the "Blue Sky Law." Its purpose was to protect the people of the state against false representations in respect to the value of stocks and bonds that are offered for sale to our people.

In the administration of this law it is found that it is always difficult, and sometimes impossible, to determine the value of the property that that type of obligation frequently represents, particularly when the corporations that issue the securities are domiciled in other states and the property is also located elsewhere. Whenever permits are given by the Railroad Commission to sell the securities in the state the public accepts that fact as an endorsement by the state which is interpreted to mean, and is frequently represented to mean, that the corporation has been investigated by the state and that the stock certificates or whatever form of security may be offered truly represents property values in the sum incorporated in the certificates.

Briefly stated, the right to sell a security to our people, the value of which could not be determined, is frequently used as an endorsement by the state of a security that is either valueless or a fraud.

I will give my approval to any statute that will protect our citizens against fraud in any form and we should give the people any legislation that we can devise that will accomplish this. We should, however, not aid fraud by ill-advised legislation. I know of no agency in this country that can give dependable information concerning all the corporations of the country, and it is my judgment that we had better confine our efforts in this direction to corporations domiciled in our own state and make the investigation more thorough than it has been in the past, and hereafter discontinue the practice of giving certificates authorizing the sale of stocks or other securities of corporations domiciled in other states.

PRIMARY ELECTION

For two sessions I have advocated a revision of the Primary Law. I think it is fair to say that it is generally conceded that in its present form the law is a failure. No party organization can be maintained under it—in fact it has again been demonstrated within this state in the past year that the adherents of one party may make an effort to nominate the candidate for another party in the hope of giving their own ticket a better opportunity for success.

Such methods are breeders of political dishonesty and demoralize the politics of the state and should not have the sanction of law. For my own part I regard the party convention the proper agency to fix its party principles and nominate its candidate, and the only valid objection that was urged against that system was the political caucus which nominated the delegates. In order to obviate that feature of the convention system which brought it into disrepute I suggest that you so frame your statute that the delegates will be elected by the people at the regular spring election in the same manner as they cast their ballot for their township and municipal officers. The jurisdiction of the convention, should, however, be limited to state officers, United States Senators and members of Congress.

STATE FINANCES

On January 1, 1919, there was a balance of $1,236,363.27 in the state treasury available for the payment of the general expenses of the state government. The state has a claim against the United States government for money expended for military equipment and other military expenditures which should be refunded of approximately $1,000,000.

I call your attention to the fact that the state has been carried through another biennium without any tax levy for general purposes. The Legislatures of 1915 and 1917 made merely a nominal levy in order to comply with the law.

	1919–1920	1920–1921
The budget requests made by different departments of state amount to.....	$20,889.296	$21,629,960
Estimated receipts	19,035,315	20,019,810
Excess requests over receipts.....	$1,853,981	$1,610,150

The budget requests have been carefully considered by the Central Board of Education and by the State Board of Public Affairs. The demands of every department of government have been inquired into and it was found that the requests could be cut down and kept within the income of the state and in no wise interfere with the efficiency of the state government or the educational institutions—in fact, the recommendations of the State Board of Public Affairs will leave a balance of approximately $500,000 over and above what it deems to be the necessary expenditures, and I request that you keep the appropriations within the limits of the state's income and that you will again make a nominal tax levy by legislative act not to exceed $1,000.

It is probably needless for me to call your attention to the fact that owing to the enormous expenditures by the national government for the war the people are already heavily taxed. The indications are that under the new federal income tax business is going to be taxed at an enormous rate and it must be borne in mind that in our own state business also pays an income tax. That business will have a struggle to re-adjust itself to the peace basis may reasonably be expected and in view of these facts the state should not come also with a large tax bill.

The state institutions have no large building program to submit. The university and the normal schools have suffered a large falling off in attendance owing to the war and their facilities are adequate for the next two years.

The appropriations for highway construction are sufficient—in fact, it is going to be a problem to use to good advantage the money that is already appropriated. In that connection I wish to state that it will again be largely a question of available labor, and I shall recommend to the Highway Commission that we do not take the labor that is necessary on the farms for the purpose of highway building or create unreasonable competition for the farmer in the matter of securing labor.

It is being urged by some people that farmers have been prosperous and for that reason large appropriations should be made for public improvements because of the high prices that they have received for their produce and that they are therefore able to pay large taxes. I cannot dismiss the thought that the vast sums collected by the government in the form of income tax will be reflected in the farmers' income and the expenses of the working man.

So far as my influence goes in the matter of expenditures, I shall continue to insist upon all reasonable economy and shall endeavor to keep state expenditures within our income, which I regard as a liberal sum with which to carry on our state government.

At a special session of the Legislature there was introduced a new drainage bill. It was discussed and finally referred to this session for further consideration. I made an analysis of it in my message, which you will find among the public documents, and I will therefore not attempt to discuss it any further than to say that I regard it an important piece of legislation for the state and that it should be enacted without delay.

The annual reports of the different departments of state which go into every phase of the state's activities will be placed before you, and I invite your attention to them. I desire to call your especial attention to the recommendations of the Tax Commission and the Conservation Commission.

I shall at a future time address you upon the subject of the development of our cut over lands and other matters which I cannot well submit at this time.

In conclusion I wish to recommend to you that you devise some practical system of procedure that will shorten your session. There is a general public demand that you do this. Furthermore, I would regard it as a genuine accommodation to the members if they be permitted to close their business within a reasonable time.

To the Honorable, the Legislature:

I have the honor to submit the following report of conditional pardons, pardons and commutations of sentence granted during the term beginning the first Monday in January, 1917, and ending on the first Monday in January, 1919, together with the reasons which controlled executive action, as required by section 6, article V, of the constitution of the state of Wisconsin.

PARDONS TO RESTORE RIGHTS OF CITIZENSHIP AFTER EXPIRATION OF SENTENCE

Avery E. Clow—Convicted before the circuit court for Lincoln county, on the twentieth day of November, 1913, of the crime of burglary and sentenced to the state prison at Waupun for the term

of two and one-half years. Pardon granted restoring rights of citizenship February 6, 1917.

Louis M. Cleary—Convicted before the circuit court for Jackson special for Juneau county, on the eighteenth day of October, 1913, of the crime of abandonment and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship February 15, 1917.

Thomas J. Ryan—Convicted before the municipal court for Kenosha county on the sixth day of October, 1913, of the crime of non-support and sentenced to the state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship March 13, 1917.

George Sutherland—Convicted before the circuit court for Marinette county, on the twenty-third day of April, 1914, of the crime of larceny and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 13, 1917.

Herbert M. Halverson—Convicted before the municipal court for Milwaukee county, on the eighth day of May, 1911, of the crime of burglary and sentenced to the state reformatory at Green Bay for the term of one year. Pardon granted restoring rights to citizenship March 16, 1917.

Harry Timme—Convicted before the municipal court for Kenosha county, on the twenty-fourth day of June, 1914, of the crime of being an habitual criminal and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 27, 1917.

Barney Keating—Convicted before the municipal court for Kenosha county, on the eighth day of August, 1914, of the crime of being an habitual criminal and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 27, 1917.

Joseph E. Schmidt—Convicted before the municipal court for Kenosha county, on the fifth day of February, 1915, of the crime of operating automobile without owner's consent and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 27, 1917.

Henry Silvernail—Convicted before the circuit court for Dodge county, on the sixteenth day of April, 1886, of the crime of highway robbery and sentenced to the state prison at Waupun for the

term of four years. Pardon granted restoring rights of citizenship March 28, 1917.

Ernest Kosag—Convicted before the municipal court for Dane county, on the third day of September, 1913, of the crime of wife abandonment and sentenced to the state reformatory at Green Bay for the term of two years. Pardon granted restoring rights of citizenship April 3, 1917.

Aubrey J. Buhlman—Convicted before the municipal court for Milwaukee county, on the twenty-ninth day of January, 1907, of the crime of forgery and sentenced to the state reformatory at Green Bay for the term of one and one-half to two years. Pardon granted restoring rights of citizenship April 13, 1917.

Alexander Garsky—Convicted before the circuit court for Wood county, on the thirteenth day of January, 1903, of the crime of larceny and sentenced to the state prison at Waupun for the term of three years and nine months. Pardon granted restoring rights to citizenship July 31, 1917.

Wilfred Bowen—Convicted before the county court for Pierce county, on the twenty-second day of April, 1913, of the crime of seduction and sentenced to the state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship August 14, 1917.

Adelbert Latamore—Convicted before the circuit court for Richland county, on the seventeenth day of August, 1914, of the crime of fornication and sentenced to the state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship May 31, 1917.

Lyle Eugene Moore—Convicted before the circuit court for Waupaca county, on the first day of June, 1914, of the crime of burglary and sentenced to the state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship June 11, 1917.

Gus Miller—Convicted before the municipal court for Milwaukee county on the twentieth day of May, 1914, of the crime of leasing premises for unlawful purposes and sentenced to the Milwaukee county house of correction for the term of ninety days in default of payment of fine of two hundred dollars and costs. Pardon granted restoring rights of citizenship July 11, 1917.

George Gurgeit—Convicted before the municipal court for Milwaukee county, on the sixth day of March, 1913, of the crime

of keeping house of ill-fame and sentenced to pay a fine of two hundred dollars, or in default to serve a term of six months in the Milwaukee county house of correction. The fine was paid. Pardon granted restoring rights of citizenship July 12, 1917.

Austin Fossnight—Convicted before the circuit court for Lafayette county, on the twenty-eighth day of August, 1915, of the crime of larceny and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship July 23, 1917.

Mathias Trokan also written *Drokan*—Convicted before the municipal court for Milwaukee County, on the thirty-first day of August, 1908, of the crime of attempted rape and sentenced to the state reformatory at Green Bay for the term of five years. Pardon granted restoring rights of citizenship July 23, 1917.

Rasmus Johnson—Convicted before the circuit court for Vernon county on the seventh day of March, 1894, of the crime of burglary and sentenced to the state prison at Waupun for the term of one year and two months. Pardon granted restoring rights of citizenship September 24, 1917.

A. W. Huebing—Convicted before the circuit court for Sauk county, on the twenty-seventh day of February, 1914, of the crime of embezzlement and sentenced to the state prison at Waupun for the term of four years. Commutation of sentence to a term of three years was granted Huebing on August 12, 1915. Pardon granted restoring rights of citizenship September 25, 1917.

Emanuel C. Stevens—Convicted before the municipal court for Racine county, on the fourteenth day of December, 1910, of the crime of adultery and sentenced to the state reformatory at Green Bay for the term of one year. Pardon granted restoring rights of citizenship November 5, 1917.

Oscar Johnson—Convicted before the circuit court for Marinette county, on the tenth day of October, 1912, of the crime of bribery and sentenced to pay a fine of five hundred dollars and in default of the payment to imprisonment in the state prison at Waupun for the term of two years. The fine was paid. Pardon granted restoring rights of citizenship January 4, 1918.

Herman Krause—Convicted before the circuit court for Marathon county, on the third day of June, 1911, of the crime of larceny and sentenced to the state prison at Waupun for the term

of nine months. Pardon granted restoring rights of citizenship January 5, 1918.

George Eckerle—Convicted before the municipal court for Marathon county, on the ninth day of October, 1913, of the crime of arson and sentenced to the state prison at Waupun for the term of four years. Pardon granted restoring rights of citizenship February 2, 1918.

Note. Granted commutation of sentence to two years on December 18, 1914.

Frank Weber—Convicted before the municipal court for Milwaukee county, on the twelfth day of November, 1913, of the crime of burglary and sentenced to the state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship February 20, 1918.

Hugo Kelling—Convicted before the municipal court for Milwaukee county, on the sixteenth day of September, 1913, of the crime of attempted robbery and sentenced to the Milwaukee county house of correction for the term of three years. Pardon granted restoring rights of citizenship February 21, 1918.

Joseph Keehn—Convicted before the municipal court for Milwaukee county, on the twenty-second day of March, 1915, of the crime of perjury and sentenced to the Milwaukee county house of correction for the term of two years. Pardon granted restoring rights of citizenship February 22, 1918.

Herman Eckhardt—Convicted before the municipal court for Milwaukee county, on the fifteenth day of June, 1915, of the crime of forgery and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 7, 1918.

August Kumm—Convicted before the circuit court for Columbia county, on the tenth day of April, 1916, of the crime of sodomy and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 12, 1918.

Charles E. Anderson—Convicted before the municipal court for Douglas county, on the twenty-third day of December, 1915, of the crime of grand larceny and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship March 20, 1918.

Ernst Butzke—Convicted before the municipal court for Mil-

waukee county, on the twenty-eighth day of May, 1915, of the crime of embezzlement and sentenced to the state prison at Waupun for the term of two years. Commutation of sentence to a term of eighteen months was granted April 7, 1916. Pardon granted restoring rights of citizenship March 19, 1918.

Henry Pearsall—Convicted before the circuit court for Rusk county, on the twenty-third day of October, 1911, of the crime of incest and sentenced to the state prison at Waupun for the term of eight years. Pardon granted restoring rights of citizenship March 28, 1918.

Ferdinand Schultz—Convicted before the circuit court for Wood county, on the twelfth day of May, 1908, of the crime of rape and sentenced to the state prison at Waupun for the term of twenty years. Commutation of sentence to a term of nine years granted on December 24, 1913. Pardon granted restoring rights of citizenship March 28, 1918.

Wate T. Adamson—Convicted before the municipal court for Milwaukee county, on the eighth day of May, 1915, of the crime of embezzlement and sentenced to the state prison at Waupun for the term of one and one-half years. Pardon granted restoring rights of citizenship May 28, 1918.

George Meesmann—Convicted before the municipal court for Manitowoc county, on the twenty-eighth day of October, 1913, of the crime of embezzlement and sentenced to the state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship July 1, 1918.

Charles Lemare—Convicted before the municipal court for Brown county, on the third day of June, 1916, of the crime of assault with intent to do great bodily harm and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship July 6, 1918.

Frank Chinnock—Convicted before the circuit court for Pierce county, on the thirteenth day of December, 1916, of the crime of larceny and sentenced to the state prison at Waupun for the term of nine months. Commutation of sentence to six months granted April 18, 1917. Pardon granted restoring rights of citizenship July 18, 1918.

Luther B. Van De Wall—Convicted before the municipal court for Milwaukee county, on the twenty-third day of October, 1914, of the crime of forgery and sentenced to the state prison at

Waupun for the term of three years. Commutation of sentence to two years granted December 10, 1915. Pardon granted restoring rights of citizenship July 18, 1918.

Frank Hoffmann—Convicted before the county court for Waushara county, on the twentieth day of September, 1881, of the crime of burglary and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship August 5, 1918.

Also convicted before the circuit court for Fond du Lac county, on the seventh day of July, 1883, of the crime of larceny and sentenced to the state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship August 5, 1918.

Anton Gilbo—Convicted before the circuit court for Marinette county, on the eighth day of March, 1913, of the crime of adultery and sentenced to the state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship August 10, 1918.

August Trudeau—Convicted before the circuit court for Oneida county, on the tenth day of March, 1913, of the crime of adultery and sentenced to the state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship August 12, 1918.

Anthony J. Houtte—Convicted before the circuit court for Ashland county, on the fourteenth day of December, 1916, of the crime of concealing stolen goods and sentenced to the state prison at Waupun for the term of nine months. Pardon granted restoring rights of citizenship August 13, 1918.

Hugo F. Bartlett—Convicted before the municipal court for Milwaukee county, on the fourth day of January, 1913, of the crime of assault with intent to kill or do great bodily harm and sentenced to the state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship August 29, 1918.

James Hoffman—Convicted before the municipal court for Rock county, on the fourth day of February, 1915, of the crime of forgery and sentenced to the state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship September 5, 1918.

August Krueger—Convicted before the circuit court for Por-

tage county, on the seventeenth day of October, 1912, of the crime of murder in the first degree and sentenced to the state prison at Waupun for the term of life. Commutation of sentence to a term of seven years was granted on December 18, 1914. Pardon granted restoring rights of citizenship September 5, 1918.

Peter Galles—Convicted before the circuit court for Kenosha county, on the fourteenth day of March, 1892, of the crime of burglary and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship September 12, 1918.

Albert A. Schuette—Convicted before the municipal court for Milwaukee county, on the ninth day of August, 1915, of the crime of embezzlement and sentenced to the state prison at Waupun for the term of two years. Pardon granted restoring rights of citizenship October 1, 1918.

Stanley Banach—Convicted before the circuit court for Marinette county, on the seventh day of October, 1913, of the crime of adultery and sentenced to the state prison at Waupun for the term of one year. Pardon granted restoring rights of citizenship October 15, 1918.

John Omnichinski—Convicted before the municipal court for Winnebago county, on the fifth day of May, 1914, of the crime of assault with intent to kill and sentenced to the state prison at Waupun for the term of four years. Pardon granted restoring rights of citizenship November 20, 1918.

Adam Lewicky—Convicted before the municipal court for Milwaukee county, on the twenty-fourth day of September, 1914, of the crime of larceny and sentenced to the state prison at Waupun for the term of three years. Pardon granted restoring rights of citizenship December 12, 1918.

ABSOLUTE PARDON FROM THE STATE PRISON AT WAUPUN

H. A. Perry—Convicted before the circuit court for Forest county, on the fourteenth day of April, 1915, of the crime of assault with intent to do great bodily harm and sentenced to the Wisconsin state prison at Waupun for the term of two years. Pardon was granted ten days before the expiration of the term for the purpose of restoring his civil rights. Pardon was granted January 4, 1917.

Julia Rueckert—Convicted before the circuit court for Fond du Lac county, on the tenth day of November, 1916, of the crime of extortion and sentenced to the Wisconsin state prison at Waupun for the term of one year. It was represented that she had been sufficiently punished and it was considered best for her six children that she be allowed to return to them. Pardon recommended by Warden Henry Town. Pardon granted January 17, 1917.

Marvin M. Fenner—Convicted before the circuit court for Wood county, on the tenth day of May, 1883, of the crime of murder in the first degree and sentenced to the Wisconsin state prison at Waupun for the term of his natural life. The records show that this man has been out on parole since May 30, 1910, and has made good in every way, demonstrating that he is a good, honest and law-abiding citizen. Warden Town recommended a pardon and under all the circumstances it was considered best to grant a pardon as he has been under the jurisdiction of the state for a sufficient length of time. Pardon granted January 18, 1917.

Frank Jackowski—Convicted before the municipal court for Milwaukee county, on the sixteenth day of January, 1916, of the crime of burglary and sentenced to the Wisconsin state prison at Waupun for the term of eight years. Jackowski was suffering from pulmonary tuberculosis and it was represented that he could not live but a short time. The pardon was granted so that he could be released and not die in prison. Pardon granted September 10, 1917.

Louis Carlone—Convicted before the circuit court for Bayfield county, on the fourteenth day of May, 1910, of the crime of murder in the second degree and sentenced to the Wisconsin state prison at Waupun for the term of fifteen years. At the time the pardon was granted Carlone was not expected to live but a short time as he was suffering from tuberculosis. As a matter of fact he died before the pardon reached him. Pardon granted March 8, 1917.

Mike Oseck—Convicted before the circuit court for Manitowoc county, on the tenth day of June, 1916, of the crime of assault with intent to commit rape and sentenced to the Wisconsin state prison at Waupun for the term of two years. This man was very low with tuberculosis and the prison physician advised that

he could not live over a week. The pardon was granted to give him an opportunity to return to his home to die. The pardon was received at Waupun on the morning of June 18th and he died on the afternoon of that day before he could be taken from the prison. Pardon granted June 15, 1917.

Gusta Webb—Convicted before the circuit court for Lincoln county, on the seventh day of October, 1915, of the crime of attempt to murder and sentenced to the Wisconsin state prison at Waupun for the term of eight years. Pardon recommended by the Board of Control for the reason that Mrs. Webb was suffering from pulmonary tuberculosis and chronic gastritis. Her condition was such that she was a menace to the other inmates of the female prison. It was represented that she could live but a short time. Absolute pardon granted on July 2, 1917.

Carmello Musso—Convicted before the municipal court for Milwaukee county, on the eleventh day of May, 1915, of the crime of murder in the first degree and sentenced to the Wisconsin state prison at Waupun for the term of her natural life. It was represented by the prison physician at Waupun that she was in an advanced stage of tuberculosis and could live but a short time and that her presence at Waupun endangered the health of other inmates. Absolute pardon granted on July 26, 1917.

Joseph Perruccio—Convicted before the circuit court for Rock county, on the third day of November, 1913, of the crime of assault regardless of life and sentenced to the Wisconsin state prison at Waupun for the term of five years. This pardon acted merely as a restoration to citizenship, as his term would have expired on August 3, 1917. Absolute pardon granted July 30, 1917.

F. W. Snook—Convicted before the municipal court for Milwaukee county, on the seventeenth day of September, 1915, of the crime of embezzlement and sentenced to the Wisconsin state prison at Waupun for the term of two and one-half years. It was claimed that Snook really had no intention of committing a crime. Money was given to him with which to purchase stock. This he claims he sent to New York to a brokerage house with instructions to buy a certain amount of steel stock on margin. He evidently owed the house money and they applied the sum received to that account. He gave his note to the party from whom he obtained the money and it was accepted. He fully in-

tends to right the wrong that has been unintentionally done. Pardon granted August 21, 1917.

William B. McLelland—Convicted before the municipal court for Dane county on the twenty-first day of January, 1916, of the crime of adultery and sentenced to the Wisconsin state prison at Waupun for the term of two years. His term would have expired on October 21, 1917. He was on parole and had faithfully kept the conditions of his parole. This pardon operated merely to restore his civil rights. Pardon granted October 19, 1917.

Charles Lusk—Convicted before the municipal court for Dane county on the twenty-ninth day of December, 1916, of the crime of drunkenness and sentenced to the Wisconsin state prison at Waupun for the term of one year. Term would have expired in about ten days and the pardon operated merely to restore civil rights. Pardon granted November 2, 1917.

Phillip O. Belknap—Convicted before the municipal court for Racine county on the ninth day of August, 1917, of the crime of larceny and sentenced to the Wisconsin state prison at Waupun for the term of one year. His term would have expired on July 5, 1918, and the pardon operated merely to restore citizenship. Pardon granted June 25, 1918.

George M. Reeves, alias George Ryan—Convicted before the circuit court for Eau Claire county on the eighteenth day of September, 1916, of the crime of attempted larceny and sentenced to the Wisconsin state prison at Waupun for the term of three years. This party was out on parole and was working in a munition factory in Minneapolis, Minnesota. The plant is run by the government. To retain his position it was necessary that his civil rights be restored. He is suffering from a cancer in the jaw and his mother from a cancer of the breast. Because of his physical condition it was hard for him to get employment and the pardon was granted in order that he might retain his position. Pardon granted July 29, 1918.

W. C. Weldon—Convicted before the circuit court for Rusk county on the second day of November, 1915, of the crime of enticing a female for immoral purposes and sentenced to the Wisconsin state prison for the term of one year. The judge, foreman of the jury and citizens recommended that he be released in view of the fact that he is married and has a family, and

that he has in fact suffered considerable punishment. Pardon granted December 28, 1918.

ABSOLUTE PARDONS FROM THE STATE REFORMATORY AT GREEN BAY

H. J. Morris—Convicted before the circuit court for Fond du Lac county on the twenty-third day of December, 1915, of the crime of larceny under section 4415 of the statutes and sentenced to the Wisconsin state reformatory at Green Bay for the term of three years. Sentence was suspended by judge after imposing same. His family connections, previous course of life and conduct since he has been on parole are all such that ends of justice would be fully met by discharging him at this time. Pardon recommended by judge and highly recommended by the man to whom he was paroled. He was anxious to enter the army. Pardon granted November 22, 1917.

James Truscott—Convicted before the circuit court for Winnebago county on the twenty-third day of January, 1915, of the crime of arson and sentenced to the Wisconsin state reformatory at Green Bay for the term of two years. This party was on parole from the reformatory, violated the same and later joined the Canadian Army and was sent abroad. He was wounded and was returned to Canada to recuperate. He was to be sent abroad again and the pardon was granted him to enable him to come into Wisconsin without the danger of his being arrested and sent back to serve out his sentence. He desired to come to this state to visit his mother. Pardon granted March 22, 1918.

Clarence Grognet—Convicted before the municipal court for Manitowoc county on the third day of July, 1917, of the crime of larceny and sentenced to the Wisconsin state reformatory at Green Bay for the term of from one to ten years. The sentence was suspended and Grognet placed on probation in the custody and control of the state board of control. Inasmuch as he had never been in prison pardon was granted in order that he might enter military service where he would be under strict discipline. Pardon granted September 18, 1918.

ABSOLUTE PARDONS FROM MILWAUKEE COUNTY HOUSE OF CORRECTION

Ernest Leiness—Convicted before the municipal court for Milwaukee county on the sixteenth day of April, 1912, of the crime

of obtaining money under false pretenses and sentenced to the Milwauke county house of correction for the term of one year and three months. Full term had been served and this pardon operated to restore citizenship. Pardon granted March 14, 1917.

Cleo Spencer—Convicted before the municipal court for Milwaukee county on the twenty-seventh day of January, 1917, of the crime of keeping a house of ill-fame and sentenced to the Milwauke county house of correction for the term of one year. It appeared from a letter from the district attorney that this woman was convicted of an offense of which she was not guilty. According to this letter this woman was an inmate and not the keeper of the house. The maximum sentence for being an inmate of such a house is ninety days and she having already served considerable more than that a pardon was granted. Pardon granted July 11, 1917.

Helen Gordon—Convicted before the municipal court for Milwaukee county on the eleventh day of January, 1917, of the crime of larceny and sentenced to the Milwaukee county house of correction for the term of one year. When the sentence was pronounced the judge said he would recommend a pardon when one-half the term was up. Her father wished to take her outside of the state. Pardon granted July 11, 1917.

Andrew Redzinski—Convicted before the municipal court for Milwauke county on the fourth day of January, 1917, of the crime of attempted larceny and sentenced to the Milwaukee county house of correction for the term of one year. Had been sufficiently punished. Has a family of six children and there was no one to help support them except his wife, who was taking care of the family by the earnings of her labor as a washerwoman. Pardon granted July 24, 1917.

Charles R. Carpenter—Convicted before the circuit court for Milwaukee county on the fifteenth day of May, 1917, of the crime of making false statements and sentenced to the Milwaukee county house of correction for the term of two years and six months. This matter was heard in December, 1917, and at that time it was agreed that a pardon would be granted when he was eligible to parole as this party would comply with all parole rules and cause the state no further trouble. Pardon granted July 1, 1918.

Charles Fricke—Convicted before the municipal court for Milwaukee county on the fifth day of October, 1917, of the crime

of keeping disorderly house and sentenced to pay a fine of two hundred dollars and costs and imprisonment in the Milwaukee county house of correction for the term of six months. This party pled guilty under advice of his attorney with the understanding that he would merely pay a fine. There is no evidence that he ever kept a disorderly house. Pardon granted December 20, 1917.

Charles Green—Convicted before the municipal court for Milwaukee county on the nineteenth day of April, 1918, of the crime of burglary and sentenced to the Milwaukee county house of correction for the term of three years. The other party to this crime, although guilty, was placed on probation. As soon as released Green was to enlist and depart for France with a contingent of railroad men. The country was in need of expert railroad men and it was recommended by the judge and district attorney that he be pardoned. Prior to his conviction he maintained his mother and an allotment was to be made to her from the amount received from the federal government. Absolute pardon granted August 3, 1918.

Florian Grabow—Convicted before the municipal court for Milwaukee county on the second day of May, 1905, of the crime of taking indecent liberties with a female under the age of fourteen and sentenced to the Milwaukee county house of correction for the term of two years. This man has already served his term. He is not a citizen and has made application for naturalization papers. It is necessary that a pardon be granted him before these papers can be issued. Absolute pardon granted December 4, 1918.

ABSOLUTE PARDONS FROM THE INDUSTRIAL SCHOOL FOR BOYS

William Frisch—Convicted before the juvenile court for Dane county on the twenty-fourth day of February, 1917, of the crime of incorrigibility and delinquency and sentenced to the Wisconsin industrial school for boys for the full period of his minority. Father of this boy died since his commitment. The mother lives on a farm and this is her oldest son. Pardon granted that he might help her with the work. Absolute pardon granted June 21, 1917.

ABSOLUTE PARDONS FROM COUNTY JAILS

Warren Scott—Convicted before the municipal court for Eau Claire county on the nineteenth day of October, 1916, of the crime of publicly exposing his person in an obscene manner and sentenced to the county jail for Eau Claire county for the term of six months. The young man was needed in Lewistown, Montana, in connection with the settlement of an estate in which he is interested. The judge who sentenced him recommended a pardon and it is thought that the ends of justice in this case had been well satisfied. Pardon granted January 24, 1917.

Gust Hoeppher—Convicted before the justice court in Mellen, Ashland county, on the fourth day of January, 1918, of the crime of violating the game laws and sentenced to the county jail for Ashland county for the term of sixty days. His family was in destitute circumstances, having no food and no wood. The man was an innocent offender, not knowing that it was necessary to have a trappers license. The conservation commission and all interested recommend a pardon. Pardon granted January 17, 1918.

ABSOLUTE PARDONS MISCELLANEOUS

Frank Anderson—Convicted before the circuit court for Eau Claire county, on the ninth day of March, 1916, of the crime of burglary in the night-time and sentenced to be placed on probation for an indefinite period of time not exceeding ten years. At the time this pardon was granted this party was in the service of the United States army in France. He had some money coming and his mother was in need of same. It could not be turned over to her while he was on probation. Pardon was granted to enable him to make such disposition of it as he chose. Pardon granted July 3, 1918.

CONDITIONAL PARDONS FROM THE WISCONSIN STATE PRISON

Sadie Scheu—Convicted before the county court for Washburn county, on the first day of November, 1916, of the crime of adultery and sentenced to the Wisconsin state prison at Waupun for the term of two years. Husband was willing to take her home. Their four children needed her attention. From evidence dis-

closed her husband was partly responsible for her downfall because of his brutal treatment of her. A conditional pardon was granted on February 15, 1917, the conditions being that she return to her husband and family and perform a mother's part in maintaining their home, report once each month to Warden Henry Town, giving full account of her conduct, also treatment accorded her by her husband and conduct herself in proper and lawful manner. Mrs. Scheu violated the conditions imposed and the pardon was revoked on July 3, 1917.

William Sherman—Convicted before the municipal court for Milwaukee on the sixteenth day of March, 1917, of the crime of attempted rape and sentenced to the Wisconsin state prison at Waupun for the term of five years. There was no physical injury done to the person he attempted to rape. He had a good reputation up to this time. Employer was anxious to again secure the services of Sherman and promised to give him personal attention. Conditional pardon was granted him on May 18, 1917, the conditions being that he place himself under the care and guidance of Thomas G. Hayden, report once every thirty days to John T. Janssen, chief of police of Milwaukee, and be sober and industrious and conduct himself in a peaceable and law-abiding manner.

Charles Seaman—Convicted before the circuit court for Fond du Lac county on the seventh day of December, 1914, of the crime of larceny and sentenced to the Wisconsin state prison at Waupun for the term of twelve years. At the time of his conviction he was addicted to the use of narcotic drugs. He had overcome the habit and a conditional pardon was granted him in order that he might be returned to prison if he again acquired the habit. Conditional pardon granted on July 14, 1917, the conditions being that he remain in Fond du Lac, abstain from the use of alcoholic drinks, also narcotic drugs, and that he report to Judge C. A. Fowler every thirty days, giving full account of his conduct and conduct and demean himself in a peaceable and law-abiding manner.

Laden Fogo—Convicted before the circuit court for Richland county on the eighteenth day of June, 1917, of the crime of manslaughter in the fourth degree and sentenced to the Wisconsin state prison at Waupun for the term of seventeen months. Conditional pardon recommended by the judge who sentenced

him. He had a good position and his family needed him, so conditional pardon was granted to act as parole. Conditional pardon granted July 7, 1917, the conditions being that he place himself under the supervision of B. N. Jostad, state probation officer, report to him upon such matters and at such times as he might require, abstain absolutely from the use of intoxicating liquors and conduct and demean himself as a peaceable and law-abiding citizen.

Howard W. Burgess—Convicted before the circuit court for La Crosse county on the eighteenth day of November, 1916, of the crime of assault with intent to commit murder and sentenced to the Wisconsin state prison at Waupun for the term of seven years. Conditional pardon recommended by the judge and district attorney. Burgess is tubercular, with an affected right lung. Pardon granted to enable him to go west on a ranch owned by his uncle in order to regain his health. Conditional pardon granted July 18, 1917, the conditions being that he go to California to reside on a ranch with his uncle, conduct himself in a peaceable and law-abiding manner.

Florence Gould—Convicted before the municipal court for Chippewa county on the ninth day of March, 1917, of the crime of adultery and sentenced to the Wisconsin state prison at Waupun for the term of eighteen months. Investigation by the state board of control revealed the fact that her home was in a deplorable condition. They have three children and father could not afford a housekeeper. Mother pardoned to permit her to return and care for her family. It was necessary either to return her or send the children to the state school. Conditional pardon granted August 20, 1917, the conditions being that she return to her home and care for her family and conduct herself in a proper manner.

Louis Ormson—Convicted before the circuit court for Juneau county on the twenty-sixth day of October, 1916, of the crime of burglary and sentenced to the Wisconsin state prison at Waupun for the term of two years. This pardon was granted because of the need of the wife and children and because it appeared that the applicant's offense would not have been committed had he not been under the influence of liquor. Conditional pardon granted October 26, 1917, the conditions being that he return to his family, abstain entirely from the use of intoxi-

cating liquors and conduct himself in every way as a good, law-abiding citizen.

Thomas Kratochvil—Convicted before the municipal court for Chippewa county on the eleventh day of October, 1916, of the crime of forgery and sentenced to the Wisconsin state prison at Waupun for the term of seven years. It appeared that this applicant was only a boy and that the judge who sentenced him labored under the misapprehension that he had reached his majority. A conditional pardon recommended by the judge and district attorney. It appeared from all facts that the better way to deal with him was to grant the pardon so that he would be out as if on a parole. Conditional pardon granted February 5th, 1918, the conditions being that he be under the control of B. M. Jostad, parole officer, to the same extent as if he were out on parole granted by the state board of control and upon the further condition that such parole officer find employment for him, and that he conduct himself as a law-abiding citizen and refrain from the use of intoxicating liquor in any form and from the commission of any offense against the state laws. Kratochvil violated the term of his pardon and the same was revoked on December 13th, 1918, and he was returned to the state prison at Waupun to complete his original sentence.

Rodney Dain—Convicted before the circuit court for Portage county on the twenty-first day of July, 1917, of the crime of larceny and sentenced to the Wisconsin state prison at Waupun for the term of two years. State board of control recommended a pardon in order that Dain might plant his crops, which were very essential at that time. The conditional pardon acted as a parole, but it enabled him to care for his farm, and support his wife. Conditional pardon granted April 4, 1918, the conditions being that he return to his home, take charge of his farm and plant it and that he make regular monthly reports of his conduct during the balance of his term, which reports must be verified by some substantial citizen who would act as his guardian, the same to be made to the state board of control at Madison.

Perry McClinchy—Convicted before the circuit court for Forest county on the tenth day of April, 1917, of the crime of grand larceny and sentenced to the Wisconsin state prison at Waupun for the term of three years. Since this man's conviction his

wife secured a divorce, remarried in violation of the law and abandoned the two sons, aged ten and eleven. Judge and district attorney who are familiar with all the facts recommended a pardon in order that he might secure the custody of the children and care for them. . Conditional pardon granted April 12, 1918, the conditions being that he lead an upright and honorable life, abstain from the use of intoxicating liquors and make a home for his children and take good care of them.

James Lowney—Convicted before the municipal court for Winnebago county on the thirteenth day of February, 1918, of the crime of forgery and sentenced to the Wisconsin state prison at Waupun for the term of seven years. The prisoner was suffering from tuberculosis and not expected to live a year. Pardon granted to enable him to go to his home and receive the care and attention that his people could give him. Conditional pardon granted May 16, 1918, the conditions being that he be taken to his father's home, cared for and that during his illness he conduct himself properly and that he should not during the balance of his term enter any store or business house where he may attempt to pass any check or other paper of value and that six months from the date of this pardon he send a sworn statement made by the attending physician giving the condition of his heatlh, a copy of pardon given board of control with instructions that probation officer visit him once in six months to determine his condition and his personal conduct.

Allie Robinson—Convicted before the circuit court for Clark county on the second day of June, 1917, of the crime of arson and sentenced to the Wisconsin state prison at Waupun for the term of three years. The judge and district attorney recommended pardon. Robinson's children were being maintained at private expense at Neillsville and they would have been sent to one of the state institutions if the father had not been released to care for them. Robinson was really the tool of his brother-in-law, who was the real offender and who was acquitted. Conditional pardon granted August 27, 1918, the conditions being that he conduct and demean himself as a peacable and law-abiding citizen and that he support his family.

Patrick Brickle—Convicted before the circuit court for Fond du Lac county on the tenth day of May, 1918, of the crime of drunkenness and sentenced to the Wisconsin state prison at Wau-

pun for the term of one year. Granted on recommendation of the judge who sentenced him. It was thought that a conditional pardon would serve to punish him more satisfactorily than imprisonment. Conditional pardon granted June 27, 1918, the conditions being that he abstain absolutely from alcoholic liquors and that he be employed on a farm under the direction of B. M. Jostad, state parole officer. Brickle refused to accept the pardon under the conditions imposed and the same was revoked August 3, 1918.

Frank Hipke—Convicted before the circuit court for Lincoln county, on the eighteenth day of April, 1917, of the crime of rape and sentenced to the Wisconsin state prison at Waupun for the term of four years. He had a wife and two children being supported by the county. She received thirty-seven dollars a month, paid seven for rent and had to live on thirty. She has a goiter and was in need of an operation. The oldest child had tuberculosis and the other child injured his eye and a cataract formed which also needed attention. The district attorney and judge were in favor of a pardon. Conditional pardon granted October 10, 1918, the conditions being that he conduct and demean himself as a law-abiding citizen.

Robert Peters—Convicted before the circuit court for Fond du Lac county, on the third day of July, 1918, of the crime of larceny and sentenced to the Wisconsin state prison at Waupun for the term of one year. His mother was badly in need of his support. His trouble was the use of liquor and under the pardon he will be required to abstain from that. Conditional pardon granted November 13, 1918, the conditions being that he conduct himself as a law-abiding citizen, abstain from the use of alcoholic drinks, be industrious and support his mother. The pardon was to take effect on December 1, 1918.

Frank S. Herbert—Convicted before the circuit court for Bayfield county, on the twenty-seventh day of November, 1917, of the crime of rape and sentenced to the Wisconsin state prison at Waupun for the term of two years. In view of the many letters received, from which it appeared that this was the first time this applicant had offended against the laws. His family are in every way deserving. Mrs. Herbert has established a new home in Duluth, Minnesota, so as to take her husband from the scene of his trouble. Conditional pardon granted December 31, 1918, the

conditions being that he go to Duluth, Minnesota living there for the balance of the term for which he was sentenced, conducting himself as a law-abiding citizen, keeping away from Iron River, his former home, and having no illicit relations with any woman, supporting his family.

Thomas Gray—Convicted before the municipal court for Milwaukee county, on the twenty-ninth day of April, 1918, of the crime of operating an automobile without the owner's consent and sentenced to the Wisconsin state prison at Waupun for the term of eighteen months. Penalty was excessive for crime committed. It was deemed advisable for the best interests of Gray to grant him a conditional pardon in order that he might demonstrate his worth. Recommended by the district attorney of Milwaukee. Conditional pardon granted December 31, 1918, the conditions being that he be under the control of B. M. Jostad, state parole officer, to the same extent as though he were out on a parole granted by the state board of control and upon the further condition that such probation officer find employment for him and that he conduct himself as a law-abiding citizen and refrain from the use of alcoholic drinks and refrain from the commission of any offense against any of the state laws.

CONDITIONAL PARDONS FROM THE WISCONSIN STATE REFORMATORY

Joseph Routt—Convicted before the municipal court for Milwaukee county, on the ninth day of September, 1916, of the crime of operating an automobile without the consent of the owner and sentenced to the Wisconsin state reformatory at Green Bay for the term of one year. Pardon recommended by the state board of control for the reason that Routt was in bad health, having developed heart trouble and it was the opinion of the board that he could not recover speedily while confined in the reformatory. Conditional pardon granted February 15, 1917, the conditions being that he return to his home and submit to medical treatment and that he properly conduct himself for the balance of the term for which he was sentenced.

Joe Schullo—Convicted before the county court for Washburn county, on the thirty-first day of October, 1916, of the crime of adultery and sentenced to the Wisconsin state reformatory at

Green Bay for the term of two years. Pardon recommended by the judge who sentenced him. The woman in this case had been pardoned and it was just and proper that this party receive the same consideration. Conditional pardon granted on March 28, 1917, the conditions being that he report at least once every fifteen days to L. J. Jones, county judge of Washburn county, or his successor in office, giving a full account of his personal conduct, conduct himself in a peaceable manner and that he does not renew his criminal relations with the woman that was convicted with him.

Thomas Halverson—Convicted before the municipal court for Milwaukee county, on the nineteenth day of April, 1917, of the crime of injuring a steam shovel under section 4440a. R. S. and sentenced to the Wisconsin state reformatory at Green Bay for the term of one year. His two brothers had joined the army and this pardon was granted in order that the mother might have one son at home. Conditional pardon granted November 8, 1917, the conditions being that he lead an upright, honest life and conduct himself as a law-abiding citizen.

CONDITIONAL PARDONS FROM INDUSTRIAL SCHOOL FOR BOYS

Charles Wood—Convicted before the county court for Vernon county, on the twentieth day of August, 1913, of the crime of larceny and sentenced to the Wisconsin industrial school for boys for the full period of his minority. His parents left the state in order that the son might be taken away from old influences. The district attorney recommended clemency. Conditional pardon granted August 17, 1917, the conditions being that he go to Austin, Minnesota, and live with his parents until he becomes of age unless he should choose to enter military service.

Anton Schmeigel—Convicted before the municipal court for Dane county, on the twenty-fifth day of November, 1916, of the crime of larceny and burglary and sentenced to the Wisconsin industrial school for boys for the full period of his minority. Judge requested pardon. His father was an inmate of an insane hospital and his mother found it very difficult to care for the large family at home. Pardon granted that she might have his assistance. Conditional pardon granted August 22, 1917, the conditions being that he report semi-monthly to T. C. Purcell

upon such matters and in such manner as he shall direct and that he comply with such rules and regulations as Mr. Purcell may prescribe for the balance of his term.

CONDITIONAL PARDONS FROM THE MILWAUKEE COUNTY HOUSE OF CORRECTION

Maud Moore—Convicted before the municipal court for Milwaukee county, on the twenty-sixth day of April, 1917, of the crime of keeping a house of ill-fame and sentenced to the Milwaukee county house of correction for the term of six months. Sentence was excessive and conditional pardon acts as a parole. Conditional pardon granted September 11, 1917, the conditions being that she return to her parents at Grand Rapids, Wisconsin, and that she conduct herself in a moral and law-abiding manner.

S. O. Stella—Convicted before the municipal court for Milwaukee county, on the eighteenth day of May, 1917, of the crime of burglary and sentenced to the Milwaukee county house of correction for the term of six months. This man is an expert workman at laying terrazzo floors. The people who contracted for the building of the southern Wisconsin home at Union Grove stated they needed him badly for this work at that place and could get no one else to do this work. Pardon acted as parole in order that he might be employed by these people and earn wages to support his family. Conditional pardon granted June 13, 1917, the conditions being that he be placed under supervision of the board of control during balance of sentence, report to the board monthly, said reports to be verified by his guardian, refrain from intoxicating liquors and that his earnings after his own maintenance is paid be given to his family.

Arthur B. McClave—Convicted before the municipal court for Milwaukee county, on the sixteenth day of May, 1917, of the crime of drunkenness and sentenced to the Milwaukee county house of correction for the term of ninety days. His wife wished to take him to Arizona, away from his associates and influences and the pardon was granted on condition that he accompany her, that he totally abstain from the use of intoxicating liquors for the balance of the term for which he was sentenced. Conditional pardon granted July 18, 1917.

Louis Fiedler—Convicted before the municipal court for Milwaukee county, on the third day of January, 1916, of the crime of abandonment and sentenced to the Milwaukee county house of correction for the term of two years. Pardon acts as a parole and is granted in order that he may support his wife and five children. Conditional pardon granted August 7, 1917, the conditions being that he abstain absolutely from the use of intoxicating liquor, report once each month to Judge A. C. Backus of Milwaukee upon such matters and in such manner as the said Judge Backus may require.

Thomas J. McBarron—Convicted before the municipal court for Milwaukee county on the twenty-third day of September, 1916, of the crime of burglary in the night-time and attempt to rape and sentenced to the Milwaukee county house of correction for the term of three years. Pardon granted in order that he might support his wife and two children. Conditional pardon granted September 1, 1917, the conditions being that he abstain from intoxicating liquors and conduct himself as a law-abiding citizen, report twice each month to Father Finnegan of Jesuit church upon such matters and in such manner as Father Finnegan may require.

Agnes Vietzke—Convicted before the municipal court for Milwaukee county, on the twenty-ninth day of May, 1917, of the crime of adultery and sentenced to the Milwaukee county house of correction for the term of two years. Because of her physical condition it was thought best by all concerned that she be pardoned. Conditional pardon granted December 20, 1917, the conditions being that she report to Probation Officer Theodore Puls or his successor every sixty days during the balance of her term upon such matters as he may require, lead a moral life and conduct herself properly.

Dominic Zarconne—Convicted before the municipal court for Milwaukee county, on the seventeenth day of March, 1917, of the crime of burglary and sentenced to the Milwaukee county house of correction for the term of two and one-half years. It is believed that he has been sufficiently punished. Since his imprisonment two brothers have been drafted into the army, leaving a child of six years at home. His parents needed his support. Conditional pardon granted January third, 1918, the conditions being that he find employment, keep at work and give a reasonable part

of his earnings to his parents, conduct himself in an orderly manner, keep out of pool halls and gambling places, report to the chief of police of Milwaukee every two weeks from date of his release giving full account of his conduct.

Walter Fausz—Convicted before the municipal court for Milwaukee on the fourth day of September, 1917, of the crime of adultery and sentenced to the Milwaukee county house of correction for the term of one year. Reconciliation had been effected in his family. He had served one-half of his sentence and it was felt that the ends of justice would be best served by granting him a conditional pardon. Conditional pardon granted March 4, 1918, the conditions being that he live with his wife and support her and lead a moral life.

William Harris—Convicted before the municipal court for Milwaukee county on the ninth day of May, 1917, of the crime of adultery and sentenced to the Milwaukee county house of correction for the term of two years. His wife was willing to take him back. The woman convicted with him had been pardoned because of her physical condition and the district attorney recommended that Harris be released as the law should be the same for both. Conditional pardon granted May 18, 1918, the conditions being that he does not again have any illicit relations with women, and that he conduct himself as a law-abiding citizen and take care of his family to the best of his ability.

Frank Piotrowski—Convicted before the municipal court for Milwaukee county, on the ninth day of February, 1918, of the crime of adultery and sentenced to the Milwaukee county house of correction for the term of six months or to pay a fine of two hundred dollars and costs. Man previously had a good reputation. No permanent harm resulted as far as family relations were concerned. His employer made application for pardon and the district attorney recommended that it be granted. Conditional pardon granted June 11, 1918, the conditions being that he conduct himself in a law-abiding manner.

Joseph de Stefano—Convicted before the municipal court for Milwaukee county, on the twenty-eighth day of March, 1918, of the crime of receiving stolen goods and sentenced to the Milwaukee county house of correction for the term of one year. Under all conditions had been sufficiently punished. Conditional pardon granted July 11, 1918 to take effect September 1st, 1918,

the condition being that he obey the law in all respects and be a law-abiding citizen.

Frank Burgerino—Convicted before the municipal court for Milwaukee county, on the twenty-eighth day of March, 1918, of the crime of receiving stolen property and sentenced to the Milwaukee county house of correction for the term of one year. Under all conditions it was thought that he had been sufficiently punished. Conditional pardon granted July 11, 1918 to take effect September 1st, 1918, the condition being that he obey the law in all respects and be a law-abiding citizen.

Fred O. Martin—Convicted before the municipal court for Milwaukee county, on the eleventh day of February, 1918, of the crime of violating his probation and sentenced to the Milwaukee county house of correction for the term of one year. It was thought that he had been sufficiently punished. His family needed him badly. Conditional pardon granted July 11, 1918, the conditions being that he pay within seven months the amounts required by the court to be paid at the time he was placed on probation.

Samuel Terzis—Convicted before the municipal court for Milwaukee county, on the sixteenth day of April, 1918, of the crime of rape and sentenced to the Milwaukee county house of correction for the term of one year. It was shown that the girl in the case was as much to blame, it further appeared that the companion who led him into the trouble and was equally guilty was let off on the payment of a fine. Conditional pardon granted October 1, 1918, the conditions being that he conduct himself properly and as a law-abiding citizen and lead a moral life, and that he report to inspector W. H. Momsen of the house of correction every two weeks giving a full account of his conduct, his whereabouts and employment for the balance of his term.

COMMUTATIONS OF SENTENCE FROM THE WISCONSIN STATE PRISON

John Lester—Convicted before the circuit court for Marinette county, on the eighth day of May, 1914, of the crime of assault with intent to kill and murder and sentenced to the state prison at Waupun for the term of eight years. His splendid conduct has entitled him to consideration, has been at honor camp for

about one and one-half years, has done splendid work. He has a wife and children who need his support. Sentence was commuted to six years, April 5, 1917.

Frank Chinnock—Convicted before the circuit court for Pierce county, on the thirteenth day of December, 1916, of the crime of chicken stealing and sentenced to the Wisconsin state prison at Waupun for the term of nine months. Sentence was excessive. To give him an opportunity to go home and raise a crop sentence was commuted to six months April 18, 1917.

Arthur Deahy—Convicted before the circuit court for Monroe county, on the thirty-first day of March, 1915, of the crime of manslaughter in the first degree and sentenced to the state prison at Waupun for the term of five years. Crime was not committed intentionally and the sentence imposed was excessive. In order that he might be eligible to apply for a parole sentence was commuted to three years on February 15, 1917.

Fred Olson—Convicted before the municipal court for Brown county on the twenty-sixth day of October, 1915, of the crime of arson and sentenced to the state prison at Waupun for the term of five years. Prisoner has been offered a position with his brother-in-law at Channing, Michigan, and sentence was commuted to four years on February 15, 1917, in order that he might be eligible to apply for a parole.

Fred A. Shaw, Jr.—Convicted before the superior court for Douglas county, on the thirtieth of January, 1915, of the crime of forgery and sentenced to the Wisconsin state prison for the term of five years. Judge and district attorney consider sentence excessive and recommend commutation. Sentence commuted to three years February 15, 1917.

Robert Jersch—Convicted before the municipal court for Milwaukee county on the fifth day of December, 1908, of the crime of murder in the second degree and sentenced to the state prison at Waupun for the term of twenty-five years. On March 15, 1917, sentence was cummuted to twenty years to enable him to get a position and support his family. If he were compelled to serve his full sentence he would be too old.

Abner G. Schuette—Convicted before the circuit court for Marathon county, on the thirtieth day of December, 1915, of the crime of burglary and sentenced to the Wisconsin state prison for the term of five years. On the recommendation of the judge who

sentenced him and who knew all the circumstances connected with the case, sentence commuted to three years on March 15, 1917.

Robert E. Johnson—Convicted before the municipal court of Langlade county, on the thirteenth day of April, 1917, of the crime of burglary and sentenced to the Wisconsin state prison for the term of two years. Nearly all the stolen goods were returned. Johnson's wife is crippled and needed his earnings to support their child. To permit parole sentence was commuted to one year on May 8, 1917.

Sam Dunato—Convicted before the circuit court for Racine county, on the seventh day of July, 1913, of the crime of murder in the second degree and sentenced to the Wisconsin state prison for the term of twenty years. There is a question as to whether this man was guilty of murder in the second degree and therefore a commutation of sentence to fifteen years was granted on May 10, 1917.

Leander Bruno—Convicted before the circuit court for Clark county, on the eleventh day of December, 1916, of the crime of assault with intent to do great bodily harm and sentenced to the Wisconsin state prison for the term of fifteen months. The difficulty grew out of a charivari. The defendant and the people engaged in the charivari seemed to be equally at fault. No one was seriously injured and thirty days in the county jail was sufficient punishment. The sentence was commuted to thirty days in the county jail on June 15, 1917.

Alfred Gonia—Convicted before the circuit court for Wood county, on the fourteenth day of August, 1915, of the crime of burglary and sentenced to the Wisconsin state prison for the term of six years. At the request of Warden Town commutation of sentence to five years was granted on August 6, 1917, as a reward. Gonia assisted an officer in a shop at the prison who was attacked by one of the other prisoners with a pair of shears. Gonia prevented any serious damage being done.

John Radej—Convicted before the circuit court for Manitowoc county, on the third day of July, 1912, of the crime of murder in the second degree and sentenced to the Wisconsin state prison for the term of eighteen years. On August 17, 1917, sentence was commuted to fifteen years for the reason that under the circumstances the sentence was considered too severe.

Henry Bracker—Convicted before the circuit court for Walworth

county, on the twenty-ninth day of December, 1906, of the crime of rape and sentenced to the Wisconsin state prison for the term of twenty-five years. From statements made by judge and district attorney it appears there is grave doubt whether applicant is guilty of offense to which he pleaded guilty. It appeared there was little or no probability that he would ever commit another offense and sentence was commuted to twenty years on November 14, 1917, to permit parole.

Joseph Geischar—Convicted before the municipal court for Milwaukee county, on the twenty-ninth day of November, 1902, of the crime of rape and sentenced to the Wisconsin state prison for the term of thirty-five years. On November 14, 1917, sentence was commuted to thirty years to make him eligible to parole so that he might return to his family. He had made a good record in prison. The health of the prisoner was failing and it was thought best to release him from prison.

Harry Berger—Convicted before the circuit court for Rock county, on the twenty-fifth day of November, 1912, of the crime of murder in the third degree and rape and sentenced to the Wisconsin state prison for the term of eighteen years. Sentence commuted to ten years on November 14, 1917, to permit parole so that he might return to active life while able to do work. He was an industrious man and had been raised in good surroundings. The crime was committed while intoxicated.

Edward Meyer—Convicted before the circuit court for Rock county, on the twenty-fifth day of November, 1912, of the crime of murder in the third degree and rape and sentenced to the Wisconsin state prison for the term of eighteen years. Sentence commuted to ten years on November 14, 1917, to permit parole so that he might return to active life while able to work. Many influential citizens of Janesville recommended clemency.

Nora A. Weir—Convicted before the municipal court for Milwaukee county, on the eighteenth day of September, 1916, of the crime of forgery and sentenced to the Wisconsin state prison for the term of two years. Commutation of sentence to one year and ten months was recommended by Warden Town and granted on March 8, 1918, to permit her to be released in order that she could attend the exercises at college when her brother, whom she had financed while attending, graduated.

George Kartoes—Convicted before the municipal court for Mil-

waukee county, on the sixth day of May, 1916, of the crime of assault with intent to kill and murder and sentenced to the Wisconsin state prison for the term of eight years. Kartoes was not a criminal at heart. It was a trying situation and he was provoked into committing the act. On recommendation of the judge and district attorney sentence was commuted to four years on June 13, 1918.

Edward Avery—Convicted before the municipal court for Milwaukee county, on the fifth day of August, 1910, of the crime of rape and sentenced to the Wisconsin state prison for the term of thirty years. Sentence to twenty years on July 11, 1918, for the reason that if he served the full time he would have reached an age at which it would be impossible for him to maintain himself when released.

James C. Croft—Convicted before the circuit court for Dane county on the second day of December, 1912, of the crime of murder in the first degree and sentenced to the Wisconsin state prison for the term of his life. It is believed that while Croft intended to commit robbery he did not intend to kill. The actual killing was done by a third person. Sentence was commuted to fourteen years on July 11, 1918, as this was thought to be sufficient punishment for the crime he really committed.

Edward Olson—Convicted before the circuit court for Dane county on the second day of December, 1912, of the crime of murder in the first degree and sentenced to the Wisconsin state prison for the term of his life. This party was associated with Croft and, as in the case of Croft, did not commit the murder. He did intend to commit robbery and the sentence is commuted to fourteen years, which is considered to be a sufficient length of time to serve for that crime. Commutation granted on July 11, 1918.

Oscar Powers—Convicted before the municipal court for Milwaukee county, on the twenty-second day of June, 1917, of the crime of manslaughter in the first degree and sentenced to the Wisconsin state prison for the term of eight years. Under the evidence the jury might have found him guilty of manslaughter in the fourth degree, the maximum sentence for which is two years. On the recommendation of the district attorney sentence commuted to two years on July 11, 1918.

Elmer McDonald—Convicted before the municipal court for Milwaukee county, on the thirtieth day of November, 1916, of the

crime of burglary and sentenced to the Wisconsin state prison for the term of twelve years. On the strength of the report of the case made by the assistant district attorney, who is well acquainted with all the facts, sentence commuted to six years on October 1, 1918.

Bernard Garrigan—Convicted before the municipal court for Milwaukee county, on the nineteenth day of March, 1915, of the crime of burglary and sentenced to the Wisconsin state prison for the term of eight years. Under the circumstances the sentence was too severe and a commutation to seven years was granted on October 1, 1918.

John Loring—Convicted before the municipal court for Brown county, on the thirteenth day of February, 1915, of the crime of burglary and sentenced to the Wisconsin state prison for the term of ten years. Because of the fact that his aged mother is in need sentence commuted to nine years October 1, 1918.

Peter Rosa—Convicted before the circuit court for Iron county, on the sixth day of November, 1905, of the crime of murder in the first degree and sentenced to the Wisconsin state prison for life. District attorney recommended clemency. Sentence considered excessive in view of all the circumstances. He has been a good prisoner, conducting himself in a proper and orderly manner and has acquired habits of industry. Commutation of sentence to twenty-five years granted December 6, 1918.

A. N. Savee—Convicted before the county court for Walworth county, on the seventh day of February, 1918, of the crime of embezzlement and sentenced to the Wisconsin state prison for the term of five years. His wife and children are in destitute circumstances. He is not a vicious man and did not intentionally commit crime. He has two or three brothers in the army and his people have suffered considerable because of his conviction. Commutation of sentence to three years granted December 28, 1918.

William Hatch—Convicted before the circuit court for Brown county, on the sixth day of March, 1914, of the crime of murder in the second degree and sentenced to the Wisconsin state prison for the term of twenty years. He was under the influence of liquor when the crime was committed and consequently not responsible. Judge who sentenced him recommended leniency and sentence was commuted to fifteen years on December 28, 1918.

Charles Tilge—Convicted before the circuit court for Marathon county, on the twelfth day of January, 1916, of the crime of rape

and sentenced to the Wisconsin state prison for the term of ten years. Upon the representations of the judge and the family of the girl injured and upon the statement of the attorney who presented the application that he would find a place for Tilge, sentence was commuted to five years on December 28, 1918.

COMMUTATIONS OF SENTENCE FROM THE MILWAUKEE COUNTY HOUSE OF CORRECTION

Gerhard Aussem—Convicted before the municipal court for Milwaukee county, on the twentieth day of January, 1917, of the crime of obtaining money under false pretenses and sentenced to the Milwaukee county house of correction for the term of eighteen months. Commutation granted to six months on April 5, 1917, with the understanding that complete restitution be made to the defrauded parties. Commutation to be delivered by the district attorney of Milwaukee county after restitution is made.

John Travis—Convicted before the municipal court for Milwaukee county, on the seventh day of February, 1917, of the crime of endeavoring to procure person to commit perjury and sentenced to the Milwaukee county house of correction for the term of one year and six months. Commutation of sentence to one year granted on July 13, 1917, for the reason that his family need the support of Travis.

John F. Fowler—Convicted before the municipal court for Milwaukee county, on the sixteenth day of January, 1918, of the crime of embezzlement and sentenced to the Milwaukee county house of correction for the term of one year. His wife and child were without means of support. It was thought that the ends of justice would be best served by allowing the prisoner his freedom when he had served one-half his term. Commutation of sentence to six months granted on March 13, 1918.

Robert Henry—Convicted before the municipal court of Milwaukee county, on the fifth day of May, 1918, of the crime of larceny and sentenced to the Milwaukee county house of correction for the term of two years. Commutation of sentence to fifteen months granted December 7, 1918, for the reason that the Federal Rubber company, the complainant in this case, and the district attorney who prosecuted him recommended clemency.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

January 9, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint:

Honorable M. C. Mead, of Plymouth, Wisconsin, to be a member of the State Board of Education, for the term ending August 1, 1923, to succeed Claire B. Bird, resigned.

Respectfully submitted,

EMANUEL L. PHILIPP,

January 15, 1919. *Governor.*

To the Honorable, The Senate:

I respectfully request that your Honorable Body return the nomination of the Honorable M. C. Mead, of Plymouth, Wisconsin, as a member of the State Board of Education, transmitted to you on January 15, 1919, and that you do not further consider the question of his confirmation.

Respectfully submitted,

EMANUEL L. PHILIPP,

January 22, 1919. *Governor.*

To the Honorable, The Senate:

A vacancy having occurred in the office of Commissioner of Banking by the expiration of the term of A. E. Kuolt, I did, pursuant to the statutes governing, on 4th day of December, 1918, the legislature not then being in session, appoint Marshall Cousins, of Eau Claire, to fill such vacancy for the term ending on the 15th day of May, 1923, subject to confirmation by the Senate.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated January 24, 1919. *Governor.*

To the Honorable, The Senate:

A vacancy having occurred in the membership of the State Board of Control of Wisconsin by the expiration of the term of W. H. Graebner, I did, pursuant to the statutes governing, on the 12th day of April, 1918, the Legislature not then being in session, re-appoint W. H. Graebner, of Milwaukee, for the term ending on the first Monday in April, 1923, subject to confirmation by the Senate. Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, January 28, 1919. *Governor.*

To the Honorable, The Senate:

Pursuant to the statute governing I hereby nominate and, by and with the advice and consent of the Senate, appoint

Dr. Edward S. Hayes, of Eau Claire, Wisconsin, to be a member of the State Board of Health and Vital Statistics, for the term ending on the first Monday in February, 1926.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, January 28, 1919. *Governor.*

To the Honorable, The Senate:

A vacancy having occurred in the membership of the State Board of Health and Vital Statistics by the expiration of the term of Dr. W. F. Whyte, I did, pursuant to the statutes governing, on the second day of February, 1918, the Legislature not then being in session, re-appoint Dr. W. F. Whyte, of Watertown, for the term ending on the first Monday in February, 1925, subject to confirmation by the Senate.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, January 28, 1919. *Governor.*

To the Honorable, The Senate:

Pursuant to the statute governing I hereby nominate and, by and with the advice and consent of the Senate, appoint

George J. Weigle, of Milwaukee, Wisconsin, to be Dairy and Food Commissioner, for the term ending on the first Monday in February, 1921.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, January 28, 1919. *Governor.*

To the Honorable, The Senate:

Pursuant to the statute governing I hereby nominate and, by and with the advice and consent of the Senate, appoint

W. E. Barber, of La Crosse, Wisconsin, to be a member of the State Conservation Commission of Wisconsin, for the term ending on the first Monday in February, 1925.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, January 28, 1919. *Governor.*

To the Honorable, The Senate:

Pursuant to the statute governing I hereby nominate and, by and with the advice and consent of the Senate, appoint

Christian P. Norgord, of Madison, Wisconsin, to be Commissioner of Agriculture, for the term ending on the first Monday in February, 1923.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, January 28, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing I hereby nominate and, by and with the advice and consent of the Senate, appoint

F. S. Sensenbrenner, of Neenah, Wisconsin, to be a member of the State Board of Education for the term ending August 1, 1923.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, January 28, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing I hereby nominate and, by and with the advice and consent of the Senate, appoint

W. R. Graves, of Prairie du Chien, to be a member of the State Board of Education for the term ending August 1, 1922, to succeed Frank P. Hixon, resigned.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, January 28, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing, I hereby nominate, and, by and with the advice and consent of the Senate, appoint

R. J. White, of Milwaukee, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1923;

O. H. Kjorstad, of Nobleton, Wisconsin, to be a member of the

State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1923;

Edward J. Roethe, of Fennimore, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1923;

Thomas Saxe, of Milwaukee, Wisconsin, to be a member of the State Fair Advisory Board of the Department of Agriculture, for the term ending on the first Monday in February, 1923.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, January 28, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint

George B. Hudnall, of Milwaukee, Wisconsin, to be a member of the State Board of Public Affairs, for the term ending February 1, 1921.

L. Albert Karel, of Milwaukee, Wisconsin, to be a member of the State Board of Public Affairs, for the term ending February 1, 1921.

George A. West, of Milwaukee, Wisconsin, to be a member of the State Board of Public Affairs, for the term ending February 1, 1921.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, January 28, 1919.

To the Honorable, The Senate:

Vacancies having occurred in the membership of the State Fair Advisory Board of the Department of Agriculture by the expiration of the terms of Frank Johnson, B. F. Wilson, L. I. Roe and Robert McDowell, I did, pursuant to the statutes governing, on the twenty-first day of February, 1918, the Legislature not then being in session, re-appoint the following men, subject to confirmation by the Senate:

Frank Johnson, of Darien, Wisconsin, for the term ending on the first Monday in February, 1922;

B. F. Wilson, of Wausau, Wisconsin, for the term ending on the first Monday in February, 1922;

L. I. Roe, of Stanley, Wisconsin, for the term ending on the first Monday in February, 1922.

Robert McDowell, of Oconto, Wisconsin, for the term ending on the first Monday in February, 1922.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, January 28, 1919.

To the Honorable, The Legislature:

This is to formally notify you that pursuant to the statute governing, I have this day appointed the following members of the Senate and Assembly to constitute the Visiting Committee:

From the Senate:

Eugene F. Clark, of Galesville,

Al. C. Anderson, of Menomonie,

From the Assembly:

Byron W. Whittingham, of Arpin,

Delbert Miller, of West Allis,

J. L. Grindel, of Platteville,

P. M. Anderson, of Somers.

The commissions of the members of this Committee have been transmitted to the Sergeant-at-Arms of the Senate and Assembly.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, January 30, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint

Carl D. Jackson, of Oshkosh, Wisconsin, to be a member of the Railroad Commission of Wisconsin for the term ending on the first Monday in February, 1925.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, March 4, 1919.

To the Honorable, The Senate:

Bill No. 93, S. "An act to amend section 16 of chapter 459 of the laws of 1907, as amended by chapter 369, laws of 1909, as amended by chapter 97, laws of 1911, as amended by chapter 614, laws of 1917, as amended by chapter 5, laws of 1918, relating to school boards and common and high schools in cities of the first class," has been approved, signed and deposited in the office of the Secretary of State with the following memorandum attached:

This bill amends an act relating to school boards in cities of the first class. By subsection 3 of Section 1 of the bill it is provided that "The said board of school directors shall, by resolution to take effect not later than January 1, 1920, determine and fix a minimum salary for all teachers."

Subsection 9 of section 31 of Article IV of the Constitution provides that the Legislature is prohibited from enacting any private or special law amending the charter of any city, town or village.

At the present time there is but one city (Milwaukee) of the first class, i. e. having a population of one hundred fifty thousand or over, in the state. Section 925—1 of the statutes divides the cities of the state into classes according to population and provides that "The population, as affecting the class to which any city shall belong, shall be determined by the last national or state census." There can be no state or national census prior to January 1, 1920, the date upon which, under the provisions of this bill, the board of school directors shall determine and fix the minimum salary for teachers. Therefore Milwaukee is the only city to which subsection 3 of section 1 can ever possibly apply.

Subsection 3 of section 1 of this act is probably special legislation amending the charter of the city of Milwaukee and within the condemnation of the Supreme Court in the case of Burnham vs. City of Milwaukee, 98 Wis. 128.

I would therefore suggest that the Legislature immediately pass an act amending subsection 3 of section 1 of the bill by striking out the words "by resolution to take effect not later than January 1, 1920," and inserting in lieu thereof the word "annually" and thereby remove any question of its unconstitutionality.

EMANUEL L. PHILIPP,
Governor.

Dated March 26, 1919.

To the Honorable, The Senate:

I herewith return Bill Number 102, S. without my approval. The evident purpose of this bill is to exempt the sheriff in counties having a population of two hundred thousand or more for the default or misconduct in office of his jailers and deputies, except where such jailer or deputy acts under the express direction of the sheriff, and to provide that in such counties each deputy shall give a bond and be liable thereon for every default or misconduct in office in the same manner and to the same extent as the sheriff, and that actions may be prosecuted against the deputy and the surety on his bond for any default or misconduct in office.

In my opinion the bill does not carry out this purpose for the reason that the giving of a bond by the deputy is not provided for, at least is not made mandatory. The following language of the bill, "The preceding section shall also be applicable to the bond of each deputy" was evidently inserted for the purpose of making it mandatory upon the deputy to give a bond, but in my opinion it does not accomplish the purpose intended. Section 701 provides that the sheriff shall, before entering upon the duties of his office, execute and deposit an official bond. Section 720, being the "preceding section" mentioned in the bill, provides only for the form of the bond. Therefore when the "preceding section" is made applicable to the bond of the deputy, it is only applicable to the form of the bond and does not make it mandatory upon the deputy to give such bond.

If the sheriff in the counties designated in the bill is to be released from liability for the default or misconduct in office of his jailer and deputies except for acts performed under the express direction of the sheriff, the statute should make it clearly mandatory upon the deputy and the jailer to give a bond not only indemnifying the sheriff as is provided by Section 724, but also indemnifying anyone against all official acts of said jailer and deputies.

Dated, Madison, Wisconsin, March 29, 1919.

EMANUEL L. PHILIPP,
Governor.

To the Honorable, The Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint

Carroll Atwood, of Milwaukee, Wisconsin, to be a member of the Tax Commission, for the term ending on the first Monday in May, 1927.

Respectfully submitted,
EMANUEL L. PHILIPP,
Dated April 10, 1919. *Governor.*

To the Honorable, The Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint

Platt Whitman of Highland, Wisconsin, to be Commissioner of Insurance for the balance of the unexpired term ending on June 30, 1919, vice M. J. Cleary, resigned.

Respectfully submitted,
EMANUEL L. PHILIPP,
Dated April 10, 1919. *Governor.*

To the Honorable, The Assembly:

I herewith return Bill No. 29, A, without my approval.

Under the bill the Legislature reserves to itself the right to remove any appointive state officer whether subject to confirmation or not, and irrespective of by whom appointed.

Briefly stated, it provides for a legislative recall of public officers except such as are specifically provided for by the constitution. The statute thus far has provided for the right of removal, upon hearing, of public officers by the executive for certain and specific reasons, all of which were calculated to protect the public interest.

This bill is an amendment to sections 13.23 and 13.24 which provide for an interrogation of public officers by either or both houses of the Legislature, and under the statute so amended the scope of the hearing may be said to be in a degree limited; however, each member of the Legislature will have the privilege of voting for the removal of public officers for any reason that is satisfactory to his own mind.

Briefly stated, under the provisions of this bill it will be within the power of the Legislature to remove any public officer whose office comes within the scope of this bill for any reason whatsoever whether it be personal or political—in fact, the removal may be brought about by a combination of small groups of men who oppose the incumbent for as many reasons as there are groups.

Since 1900 the Legislature has created a number of commissions to which have been assigned important administrative functions. The history of the legislation which created them is not so old that we cannot recall the circumstances that surrounded these measures and the promises that were made to the people at the time they were created. In delegating great powers to these administrative bodies it has been a matter of deep concern to the legislators and the people that they be placed out of the reach of political influences.

In the case of the Railroad Commission the proposition to elect the commissioners by popular vote was rejected by the Legislature for the reason that the effect of their rulings may so vitally affect the general welfare of the people that it was deemed unwise to select its members by popular vote because it was generally believed that there was danger that special interests might, with the use of money and influence, affect elections.

The bill in question may accomplish indirectly what the Legislature and the people sought to avoid at the time that the Railroad Commission was created. If it is within the power of the Legislature to remove any member of that Commission at will without proving unfitness for the office, we will then have provided a method by which private interests that may have a grievance against a commissioner because he has refused to yield to their demands may bring about his removal by entering the legislative campaigns and, with the use of money and influence, send men to the Legislature committed to the proposition of the removal of such commissioner. In other words, we will expose the entire administrative force who hold their office by reason of appointment to political influence, and no commissioner or officer will be safe in his position unless he has at all times his ear to the ground and is willing to barter the public interest for political influence.

In my judgment the legislative recall of appointive officers is a departure from the forms of government established by our constitution, both national and state. The constitution prescribes the distribution of power to the different departments of government and the limitations upon the officers invested with the authority in each department. This distribution follows the natural and logical lines of the distinction between the different kinds of power—legislative, executive and judicial. To each branch has been assigned certain functions. To the executive is given the

power, and upon him is placed the responsibility, for the execution of the law. The responsibility to the people for the proper administration of the laws and policies laid down by the Legislature, and which are carried out by these administrative bodies, rests if not directly at least indirectly upon him, and I think properly so.

Our constitution in describing the governor's duties says that he "shall take care that the laws be faithfully executed." If the Legislature will assume the right to remove public officers, we shall then have a divided authority and a divided responsibility and will have destroyed the systematic process of government that our constitutions provide.

I have reasons to suggest to you that this bill may be unconstitutional. The supreme court of Missouri has held that a proviso in an appropriation bill that none of the money should be available or paid so long as the then commissioner remained in office was unconstitutional because the Legislature could not say indirectly who should be appointed to or removed from an appointive office.

Another feature which I call your attention to is the fact that this bill provides that a public officer may be removed by a joint resolution of the two houses. I look upon this as a serious infirmity in the proposed law. I believe such an act would be within the field of legislation which requires a bill which will afford the executive an opportunity to approve or disapprove it before it takes effect. The Legislature may express its judgment by joint resolution but the removal of an officer who has been appointed by the governor, by and with the advice and consent of the Senate, seems to go further than a mere expression of judgment on any subject proper to be dealt with by a mere joint resolution.

In discussing this bill I should not fail to remind you of the fact that the principle of the recall was submitted to a vote of the people in the form of a constitutional amendment as late as 1914 and was overwhelmingly rejected. Nothing has transpired since then that may cause us to believe that there is any radical change in public sentiment upon that question.

The objections which I have stated forbid me to give this bill my approval. However, if I were in accord with its provisions I could not approve of it because of the conditions that have been

prescribed for me by certain senators. It has been openly stated upon the floor of the Senate that if I would approve this bill my appointment of Mr. Carl D. Jackson as railroad commissioner would be confirmed. Consideration of his confirmation has twice been postponed awaiting my action upon this bill. I beg to state to the senators who have attempted to impose this condition upon me that I submitted the appointment of Mr. Jackson for confirmation because I know him to be an efficient officer who has rendered faithful service to the people and that he is, therefore, entitled to confirmation. That question, however, must stand by itself and I shall not permit myself to be coerced into the approval of this or any other bill for the sake of securing legislation no matter how much I may desire it.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated April 16, 1919.

To the Honorable, The Legislature:

At the last regular session of the Legislature a bill was passed creating the State Council of Defense as a war aid organization. The Council has been in existence twenty-five months and during the period of the war rendered a valuable service to our state and country. There has been some discussion in the press of the cost of carrying on this organization, and it has been suggested that the Legislature should be advised regarding the expenditures. The following is a statement of the amounts expended and to whom paid. It will be observed that amounts of $100.00 and less are reported in a lump sum to accommodate this message:

Name and for what amount	
Achtenburg, Laura, stenographer, salary	$ 495.00
Ballantine, Rose, file clerk, salary	437.67
Barry, Frances L., stenographer, salary	1,194.97
Becker, Joseph A., labor agent, salary	413.06
traveling expenses	53.46
Bickel, Florence S., woman's committee, traveling expenses	112.62
Birch, Frank V., publicity, salary	337.51
Black, John D., labor bureau, salary	213.13
traveling expenses	10.15
Blied, Mollie M., stenographer, salary	550.65
Blomgren, Emma, stenographer, salary	239.52

Blumenfeld, F. D., accountant, salary	$366.67
traveling expenses	5.64
Borden, J. B., secretary, salary	1,633.31
traveling expenses	20.31
Brockhausen, Fred, council member, per diem	355.00
traveling expenses	390.15
Burd, Henry A., secretary, salary	3,106.69
traveling expenses	105.76
Cawood, Minnie T., file clerk, salary	279.50
Collins, Rade M., chief clerk, salary	592.97
Converse, Blair, publicity, salary	325.00
Crane, Nellie M., stenographer, salary	1,595.00
traveling expenses	10.75
Croty, C. W., marketing agent, salary	555.00
traveling expenses	278.75
Crowley, Irene, stenographer, salary	420.00
Damm, Frances, stenographer, salary	913.53
Dennis, A. L. P., secretary, traveling expenses	176.26
Doyle, J. E., field organizer, traveling expenses	315.75
Eldredge, P. C., council member, per diem	255.00
traveling expenses	359.78
Esser, Margaret, clerk, salary	283.00
Evans, Dr. J. S., council member, traveling expenses	225.63
Eissel, Lyn, clerk salary	307.34
Fitzgerald, Minnie, stenographer, salary	166.94
Gage, Ruth G., publicity, salary	171.77
Goodsitt, L. M., stenographer, salary	187.50
Hays, Jeanette, secretary Milwaukee nurses' association, salary	300.00
traveling expenses	17.60
Hicks, J. W., marketing agent, salary	388.56
traveling expenses	3.68
Jones, W. P., marketing agent, salary	1,830.00
traveling expenses	882.66
Kidder, Harriet L., file clerk, salary	259.45
Law, James R., secretary Non-War Construction Committee salary	280.00
Luedtke, Irving, stenographer, salary	195.00
Lyons, Grace, clerk and stenographer, salary	587.57
McCarthy, Charles, field organizer, traveling expenses	111.44
Melville, Andres H., secretary, salary	4,166.66
traveling expenses	176.27
Meyer, L. E., publicity, salary	111.67
Meyer News Service, clipping service	195.00
Milwaukee County Nurses' Assn., rental, etc	188.07
Moore, Mrs. L. A., secretary Milwaukee Nurses' Association, salary	500.00

traveling expenses	6.40
Morgan, Mary P., council member, per diem	1,590.00
traveling expenses	301.08
Murray, Reid P., field organizer, traveling expenses	116.16
Pixley, R. B., publicity director, salary	2,748.86
traveling expenses	104.34
Printing Board, paper and printing	8,765.55
Rasmussen, N. A., war garden director, salary	295.00
traveling expenses	209.65
Reese, John M., council member, per diem	200.00
traveling expenses	149.12
Ryan, Helen, typist, salary	678.10
Schein, Cecile L., stenographer, salary	827.33
Scheid, Pearl, stenographer, salary	175.00
Smith, Elva L., stenographer, salary	922.45
Starr, Ruth, stenographer, salary	100.00
State Dept. of Engineering, services	132.64
Supt. of Public Property, supplies and services	16,643.94
Swenson, Magnus, council member, per diem	155.00
traveling expenses	495.04
Thompson, Mrs. E. C., Asst. secretary, salary	1,100.00
traveling expenses	384.48
Van Scoy, A. T., council member per diem	460.00
traveling expenses	708.47
Waggoner, Eva M., stenographer, salary	360.65
Western Newspaper Union, newspaper plate	3,712.56
Wheeler, J. R., council member, per diem	295.00
traveling expenses	263.70
Wildeman, Anna, stenographer, salary	220.89
	$69,775.76
Miscellaneous payments, less than $100.00 to one person	4,208.49
Total expenditures of State Council of Defense	$73,984.25

It should be borne in mind that Wisconsin was the first state in the Union to organize a Council of Defense, and it may be interesting to note what a similar service, although organized at a later date, has cost other states. In order that you may have this information I give you the comparative figures as they have been gathered by the Secretary of our own Council:

Missouri	$ 69,000.00
Wisconsin	69,495.00
Colorado	71,500.00
Indiana	82,685.00
New Hampshire	94,000.00

California	105,000 00
Rhode Island	150,000.00
Illinois	165,000.00
Ohio	179,000.00
Connecticut	200,000.00
West Virginia	240,000.00
New Mexico	245,000.00
Maryland	735,000.00
Massachusetts	800,000.00
Minnesota	800,000.00
New York	911,900.00
Pennsylvania	1,750,000.00
Michigan	2,600,000.00

There still remains some work for the Council to do. The cost of the organization has been reduced to the salary of a secretary and a marketing agent. The statement of expenditures shows several items of expense for a marketing agent and I submit the following statement as the result of this activity:

Total sales made by the marketing department to March 31st, 1919	$210,694.00
Lange Canning Company, Eau Claire, Wis., 80,000 lbs. hand picked navy beans at 7½c per lb.	5,800.00
Jamison Bros., Poynette, Wis., 8,250 lbs. screened navy beans at 6½c per lb.	536.25
J. P. Hebert, Chippewa Falls, Wis., 180,000 lbs. Scotch peas at 3½c per lb.	6,755.00
Westfield Farmers Produce Exchange, Westfield, Wis., 600 bags seed potatoes at $1.20 per bushel.	720.00
Chippewa county farmers, 400 bushels seed potatoes at $1.20 per bushel	480.00
	$224,985.25

The above department devoted its time to the securing of seed and the sale of country produce for which it was difficult to find a market at the time the sales were made; also to the purchase of produce for municipal markets. There remains about 250,000 pounds of navy beans and 3,000,000 pounds of dried peas in the state yet to be marketed, which this department is endeavoring to handle.

I would not wish to dismiss this subject without calling your attention to the fact that there was a well organized Council of Defense in every county of this state and that by far the largest per cent of the service was rendered by the people without cost.

The record of the institution will stand as a lasting evidence of the fine patriotic spirit of the people of our state during the period of the war.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, May 21, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing I hereby nominate and, by and with the advice and consent of the Senate, appoint

Lieutenant C. L. Harrington, of Hurley, Wisconsin, to be a member of the State Conservation Commission of Wisconsin for the term ending on the first Monday in February, 1923, to succeed Frank B. Moody, deceased.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, May 22, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing I hereby nominate, and by and with the advice and consent of the Senate, appoint

John A. Hazlewood, of Jefferson, Wisconsin, to be a member of the State Highway Commission for the term ending on the first Monday in February, 1925.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, May 22, 1919.

To the Honorable, The Assembly:

I return herewith, without my approval, Bill No. 215, A.,

This bill first reached me on April 22, 1919, at which time I pointed out my objections to it to the friends of the measure and it was returned to your Honorable Body on April 30, 1919, pursuant to Joint Resolution No. 79, A. for the purpose of amendment.

It seems that after the bill was returned it was not amended but was repassed in its original form and was again received by me on May 22nd.

This bill amends the horse shoers lien statute, being Chapter 260 of the Laws of 1905, now sections 3347e to 3347q, inclusive, of the statutes.

Under the terms of the bill a veterinarian has six months after rendering his services within which to file notice of his lien.

Under section 3347m of the statutes if any animal upon which a veterinarian's lien is claimed shall be transported out of the state, secreted, killed, sold or incumbered, the owner of the property and each purchaser thereof or person acquiring any interest therein during the pendency of such lien shall be liable to the veterinarian for the full amount of his lien.

This would make it possible for the veterinarian to recover the full amount of his lien from any person purchasing or acquiring any interest in an animal against which the veterinarian had a lien, although there might be no public record of such lien for the period of six months after the services were performed by which the purchaser could ascertain the existence or non-existence of any such lien.

Furthermore, the purchaser of such animal or the person acquiring any interest in such animal would be liable for the full amount due the veterinarian irrespective of the value of the animal so purchased or of the interest in such animal so acquired.

This last provision would render the law unconstitutional under the decision in Rogers-Ruger Co. vs. Murray, 115 Wis. 267.

It was these objections that I pointed out to the friends of the bill and suggested that it be so amended as to overcome them.

The bill, however, not having been amended, I cannot give it my approval for the reasons above stated.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated, May 28, 1919.

To the Honorable, The Assembly:

I herewith return, without my approval, Bill No. 347, A.

This bill, if it becomes a law, will reverse the Supreme Court of this state in the case of Stryk vs. Mnichowics, 167 Wis. 265.

In that case a parent, for the purpose of securing employment for his son, represented to the employer that the son was over sixteen years of age when in truth and in fact the son was but

fourteen years of age. Relying upon this representation the son was employed and put at work at an employment which was forbidden to persons under sixteen years of age. The son was injured and recovered damages against the employer by reason of his having been put at work in the forbidden employment.

An action was then begun by the employer against the father to recover the damages paid the son on the ground that the father had induced the employment of the son at the forbidden employment by false representations.

Speaking for the majority of the Court, Chief Justice Winslow said: "The rule that a minor, suffering an injury while engaged in an employment which the law forbids him to engage in on account of his age, cannot be barred of his recovery nor subjected to an action or counterclaim for damages because he misrepresented his age when he was employed, does not apply to the father or other third person upon the faith of whose false representations the minor was employed. The law prohibiting the employment of children of tender years at dangerous occupations is for the protection of the children themselves, and public policy forbids that they should be capable of dispensing with its provisions. The same consideration, however, does not apply to the act of the parent. No good reason is perceived why he should not answer for his wrong."

With this reason and logic I fully concur and, therefore, cannot permit the Court to be reversed by the Legislature with my sanction and approval.

When the employer is subjected to a fine for putting a minor employe under certain ages in certain forbidden employments and is also deprived of certain valuable defences in case such minor is injured while so employed, the employer certainly ought to be entitled to some evidence on which he can safely rely as to the age of such minor.

It is said that the employer should satisfy himself in some of the methods pointed out by the statute or by other reliable evidence that the minor is of employable age.

There are many situations in which it would be impossible for the employer to ascertain the age of the minor in the manner pointed out by the statute. The minor may not have had a birth or baptismal certificate, or he may never have attended school, or he may have been born, baptized or educated in another state

or foreign country, in all such cases the evidence as to his age would not be available to the employer.

If the employer relies upon such minor as to his age he does so at his peril. (Pinoza vs. Northern Chair Co., 153 Wis. 473; Stetz vs. F. Mayer B. & S. Co., 163 Wis. 151.)

There is no more reliable evidence as to the age of a minor than that of the minor's parent or guardian, and if the employer relies upon such evidence in employing the minor and such evidence is wilfully false why should not the parent or guardian be liable to the employer, at least to the extent that the employer has been damaged by reason thereof?

I can perceive no good reason or sound public policy which would justify me in giving this bill my approval, and thereby permitting the parent or guardian to escape liability for his wilfully false or fraudulent representations.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

To the Honorable, The Senate:

I herewith return without my approval Bill No. 36, S. for the reason that the bill is not so worded as to accomplish the purpose intended.

It was undoubtedly the purpose of the bill to cause to be recorded in the office of the register of deeds of some county of this state the certificate of discharge of every soldier, sailor or marine who was in the service of the United States in the war between the United States and Germany and her allies.

The bill, however, is so worded that only soldiers, sailors and marines who fought with Germany and her allies could have such certificates recorded.

When my attention was called to the wording of this bill, I had a joint resolution prepared recalling the bill for the purpose of amending it by striking out the word "with" in the second line thereof and substituting therefor the word "against", or some similar amendment, but the Assembly had adjourned to June 3, 1919, before such resolution could be acted upon.

As I cannot constitutionally retain the bill in my possession longer than today, I am compelled to return it without my approval, but with the suggestion that a new bill be prepared and

passed which will accomplish the very laudable purpose intended to be accomplished by this bill.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

May 29, 1919.

To the Honorable, The Assembly:

I herewith return without my approval Bill No. 30, A.

This bill is so worded that it is extremely difficult to correctly arrive at its true intent and meaning.

Section 1 of the bill repeals Section 4553m of the Statutes. The Section so repealed makes it unlawful throughout the state for any district attorney, assistant district attorney, city attorney, assistant city attorney, or any person holding a judicial office, to be retained or employed by a common carrier or a public utility corporation.

Section 2 of the bill makes it "unlawful for any district attorney or assistant district attorney, or any person holding a judicial office in the state, the mayor, city comptroller, city treasurer, city attorney, or their assistants, city clerk, Commissioner of Public Works, *or any alderman of any city of the first class*" to do certain things.

If we should read no further, it might well be contended that the words "or any city of the first class" modified and was limited to "any alderman."

But when we read the balance of the bill, we find that the foregoing quoted provisions are immediately followed by "who in the performance of his duties as such officer or employe of any city of the first class may require or have power to act for such city in any contractual relations between such city and a corporation * * * which owns or operates a street railway or public utility in such city." We also find several other provisions in the bill all relating to "such city."

When we take into consideration the whole language of the bill, as we must in arriving at its true meaning, there is but one conclusion to be arrived at, namely: that the mayor, city comptroller, city treasurer, city attorney, or their assistants, city clerk, commissioner of public works and aldermen of Milwaukee only, are prohibited from doing the things enumerated in the bill,

while all such officers and employes outside of the city of Milwaukee are not prohibited from doing them.

It is probably true that the phrase "any city of the first class" does not reach back and modify the words "district attorney or assistant district attorney, or any person holding a judicial office in the state." Under the bill, no district attorney or assistant district attorney, or judicial officer is prohibited from doing any of the acts specified in the bill, so far as street railways and public utilities are concerned, unless he is required or has power to act for a city of the first class in some contractual relations between the city and such street railway or public utility. As neither district attorneys, assistant district attorneys nor judicial officers are required or have power to act in such matters, no restriction is placed by the bill upon them as to street railways or public utilities and it is extremely doubtful if there are any as to common carriers.

It is certain that the bill would permit city attorneys and their assistants in all cities of the state outside of Milwaukee to be retained or employed by common carriers and public utilities. This alone is sufficient, if there were no other objections to the bill to compel me to withhold my approval of it. I can not believe that the Legislature intended to repeal the present statute which, as before stated, makes it unlawful for any district attorney, assistant district attorney, city attorney, assistant city attorney, or judicial officer in the state to be retained or employed by a common carrier or public utility corporation and to make such retainer or employment unlawful in Milwaukee only.

Furthermore, it would undoubtedly be unconstitutional to make an act a crime if committed within the city of Milwaukee and not a crime if committed elsewhere in the state.

Respectfully submitted,

EMANUEL L. PHILIPP,

June 3, 1919. *Governor.*

To the Honorable, The Assembly:

I herewith return, without my approval, Bill No. 391, A.

This bill would authorize and empower any city to establish and operate depots and plants for the purchase, preparation or manufacture and distribution of milk and as incidental thereto all other dairy products, including buttermilk, skim milk, cheese, butter and ice cream.

At the 1917 session of the Legislature a bill, No. 482, A., was passed authorizing any city to buy and sell to the inhabitants thereof any of the common necessities of life. On May 15, 1917, I returned this bill to the Legislature without my approval, giving as my reasons therefor that "The Legislature has no constitutional authority to grant such power to cities; neither have the cities the constitutional authority to engage in such business, because the business is not public in the constitutional sense, neither is it one of the functions of the government to engage in such business."

I then cited and quoted from a number of Supreme Court decisions sustaining such contention, and then said, "There is no authority in this country contrary to the expression of the courts in the foregoing cases. It is universally conceded that municipalities cannot engage in business such as this bill contemplates. * * * I am so clearly of the opinion that the bill is unconstitutional that I cannot give it my approval."

What I then said with reference to Bill No. 482, A., applicable to the bill now under consideration and I respectfully refer your Honorable Body to the veto above referred to which will be found on page 1077 of the Assembly Journal of 1917.

No case has been decided by the courts of any state since my message of 1917 which in any way modifies or changes the cases therein cited.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, June 4, 1919. *Governor.*

To the Honorable, The Senate:

I herewith return, without my approval, Bill No. 420, S.

If this bill became a law it would conflict with Section 5.28. That section provides that a person may decline a nomination by filing a written declination not less than nine days before election and that in case of the death or declination of a candidate the vacancy may be filled by filing a certificate with the proper officer eight days before election which "when so filed shall have the effect of an original certificate." That is, the filing of such certificate eight days before election shall entitle the new nominee to have his name printed upon the official ballot.

This may now be done as the ballots need not be printed and in possession of the county clerk until four days before election.

If, however, this bill should become a law, the ballots would have to be printed and in possession of the county clerk two weeks or more before election.

If, therefore, Section 5.28 remains unchanged and this bill becomes a law, whenever a candidate should die or decline the nomination between the time when the ballots are required to be printed and nine days before the election, and such vacancy was filled eight days before election, the new nominee could not have his name printed on the official ballot, as they would have been already printed and in the possession of the county clerk. The only way for the new nominee to get his name on the ballot would be by pasters. This would, however, deprive him of his rights under Section 5.28 and place him in the same class as nominees who are nominated to fill vacancies occurring within four days of the election.

It would be impossible to harmonize the two sections; one provides that the new nominee if nominated eight days before election is entitled to have his name printed upon the official ballot, while the other provides that the ballots containing the name of the old nominee shall be printed and in the possession of the county clerk before the new nomination is made.

Any attempt to harmonize these two sections would require the destruction of the printed ballots and the printing of others containing the name of the new nominee. This, however, would not comply with Section 6.25 as amended as the ballots used at the election would not then have been in the hands of the county clerk two weeks or more before election.

Undoubtedly it was the purpose of the author of this bill to make the same fit in with Section 5.28 as it was sought to be amended by bill No. 359, S., but as that bill has been defeated this bill should also have been defeated.

Furthermore, by this bill, the date for the ballots to be printed and in the possession of county clerks at general election is a fixed date, "the third Tuesday of October," whereas the date of the general election is a movable date, "Tuesday next succeeding the first Monday of November." I am advised by the Secretary of State that if this bill had been the law at the general election in 1918 it would have given the county clerks but three days to prepare and have printed the ballots. This, of course, in most cases, is too short a time to permit of its being done.

For the reasons above indicated I feel that I cannot give this bill my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

June 9, 1919. *Governor.*

To the Honorable, the Senate:

I herewith return without my approval bill No. 210, S.

This bill is so vague, indefinite and uncertain that I cannot approve of it.

This bill was returned to your Honorable Body on May 20, 1919, pursuant to Joint Resolution 69, S. I suggested to the friends of the bill that it be recalled and so amended as to make it definite and certain. The bill, however, has been returned without amendment.

The bill provides that "the County Board of Supervisors of any county having a tuberculosis sanatorium or *contemplating the construction of one, etc.*"

When can the County Board of Supervisors be said to be "contemplating the construction" of a tuberculosis sanatorium? The bill does not provide that they shall take any official action in the premises or that any record shall be made of their contemplation.

It is not the purpose of the bill to make the same apply to all counties in the state else the term "any county in the state" would have been used. It was its evident purpose to divide the counties in the state into two classes: First, those that had tuberculosis sanatoriums and, second, those that were contemplating the construction of them, but, as above stated, the second class is vague, indefinite and uncertain.

The bill further provides that counties "may establish an out-patient department of such sanatorium or may establish a general health dispensary." What is meant to be included within the term "general health dispensary?" There is nothing in the bill defining it nor anything which would make it obligatory to establish one, whatever it might be, in connection with a tuberculosis sanatorium.

Again, the bill provides that the "out-patient department or dispensary may be under the supervision of the board of trustees of the tuberculosis sanatorium, or a special board where no sanatorium has been established." There is no provision as to whose supervision such out-patient department or dispensary shall be

under in counties where there are tuberculosis sanatoriums. The bill provides they may be placed under the supervision of the trustees of the sanatorium, but there is no provision as to whose supervision they shall be under in case they are not so placed. Manifestly they were not to be placed under the special board provided for in the act as the supervision of the special board is to be in those counties only "where no sanatorium has been established."

Such out-patient departments and dispensaries should both be established, if they are to be established, only in connection with tuberculosis sanatoriums and be under the supervision of the board of trustees of the sanatorium.

The establishment of out-patient departments and general health dispensaries are so important to the state and to the counties that the terms of the act establishing them should not be couched in such vague, indefinite and uncertain language as is contained in this bill.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

June 9, 1919.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint

Platt Whitman of Highland, Wisconsin, to be Commissioner of Insurance for the term ending June 30, 1923.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated June 10, 1919.

To the Honorable, the Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the senate, appoint

B. J. Castle, of Madison, Wisconsin, to be a member of the State Civil Service Commission, for the term ending June 21, 1925.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated June 10, 1919.

To the Honorable, the Assembly:

I return herewith bill No. 175, A., without my approval.

The purpose of this bill is to give the Common Council of Milwaukee the right to prescribe for all members of the police force such rest days as it shall deem advisable.

I do not understand that the hours of labor demanded of this force are now unreasonable. However, if further concessions can justly be granted it should be done by the Chief of Police and the Fire and Police Commission, who are responsible to the people for the police protection of the city.

Milwaukee has been fortunate in its police protection because the department has been kept out of politics. This was made possible by the creation of a non-partisan commission. It is clear, however, that under this bill the non-partisan control of the police force would be broken down and the discipline would become a matter of political interference and would be used as an issue by men who wish to be elected to the Common Council.

I would regard such a situation as a backward step by the city and I am, therefore, unwilling to approve of this bill.

Respectfully submitted,
EMANUEL L. PHILIPP,

Dated June 10, 1919. *Governor.*

To the Honorable, the Senate:

I herewith return without my approval bill No. 237, S.

This bill does not change, at least very materially, the Workmen's Compensation Act as interpreted by the courts, relative to personal injuries accidentally sustained by an employee, which necessitates surgical treatment, but it does very materially change that act pertaining to medical treatment. As regards medical treatment it gives the employee the option of having Christian Science treatment instead of treatment by a regular physician and not only binds the employer to pay therefor but forbids such employer from making any claim that the injury was created, aggravated, or prolonged by reason thereof.

I have no quarrel with a person of mature years who prefers Christian Science treatment so long as he alone assumes the responsibility therefor but when he seeks, as this bill does, to pass such responsibility on to his employer and through him to the public in the cost of production, I cannot give it my sanction.

Under the Workmen's Compensation Act there is a "mutuality of interest between employers, employees and the public, and each is charged with the duty of promoting the mutual interest."

Therefore when an employee by his conduct creates, continues or increases his claim for compensation from his employer and thereby casts the burden upon society in general it is utterly repugnant to all principles of law and abhorrent to that sense of justice common to all mankind.

It may be said that few injuries under the Workmen's Compensation Act are of such a nature that they require medical as distinguished from surgical treatment. But if Christian Science treatment is engrafted into the act and the act is later amended to cover occupational diseases there will be a large number, possibly a majority of cases which would come within the provisions of this type of treatment.

The physician, in the first instance, determines as between the employer and the employee whether or not there is a disability and whether such disability is partial or total; also when the period of disability ends.

Under the act an employer can compel the employee to "submit from time to time to examination by a regular practicing physician." It is safe to say that in a great majority of cases, a dispute would arise between the physician and the Christian Science healer over the question of disability, the period of disability, and whether the same is partial or total. Such dispute would lead to frequent and prolonged hearings before the Commission and litigation in the courts which would be both unfortunate and expensive.

This bill does not provide that the injured employee may, at his option, take Christian Science treatment in addition to other medical treatment, but the former is to be in lieu of the latter, and the liability by way of compensation, in case the same is not successful, is borne not by the employee, but by the employer, and in the final analysis by the consuming public.

If this bill had provided that employees who desire Christian Science treatment in case of injury give notice to the employer to that effect prior to the time of the injury so that the employer would know what type of medical treatment the employee insisted upon, I would have no objection to the bill because the employee would then have due notice and could discontinue the employment

of such person if he was dissatisfied with the conditions insisted upon by the employee.

For the foregoing reasons I feel that it is not for the public interest that this bill should become a law and I therefore withhold my approval of it.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 11, 1919.

To the Honorable, the Senate:

I return herewith, without my approval, bill No. 489, S., an amendment to section 1 of chapter 608, of the laws of 1913, relating to the sewerage commission in cities of the first class.

It is the purpose of this bill to permit the mayor of the city of Milwaukee to appoint the chief engineer of that city as a member of the sewerage commission, without confirmation by the council.

The commission was created under the original act by appointment by the mayor and confirmation by the council. It is the evident purpose of the law under which this commission was appointed that it should be non-partisan and non-political. The project of building a new sewerage system is one that cost the city of Milwaukee large sums of money and there is a public demand that the work should remain free from political influences.

Pursuant to authority conferred in the act, the mayor appointed Messrs. George P. Miller, Theodore Vilter, Michael Carpenter, Conrad Neiderman and George H. Benzenberg as members of this commission. These gentlemen are well known citizens of Milwaukee, all of them men of high reputation, whose integrity and ability is not questioned by the citizens. All are members now except George H. Benzenberg, who resigned some time ago, and I am advised that he left the service because he is an engineer and felt that he could not give the work the time that it requires. The commission appointed a chief engineer of known ability and the work has been going on for a number of years.

The system of sewerage disposal that is being installed has been tested in Milwaukee by the best experts that were obtainable, under the direction of the commission's engineer, and the work is well under way. The charge of incompetency either on the part of the commission or its engineer has not been proven and, so far as I know, has been alleged only by the mayor.

The representation was made here that an intercepting sewer had been built at a large cost which proved to be of faulty construction. This charge was tried in the federal court of Milwaukee in an action brought by the contractor and it was held that the responsibility for the defects rested upon the contractor and that it was not the fault of the plans furnished by the commission's engineer. In other words, the sewer was not built according to specifications.

The members of the commission appeared before me and protested against the appointment of the city engineer on the ground that the commission's engineer has proven himself thoroughly competent and that the addition of the city's engineer could serve only a meddlesome purpose. It was further stated that the city engineer had no desire to become a member of the commission.

I have great confidence in the judgment of the men on the commission and I feel certain that the high regard in which I hold these men is shared by the citizens of Milwaukee. They are giving their labor free of charge and I shall not agree to any legislation that will interfere with their work unless it is proven that they, or the engineer whom they are supporting, are guilty of incompetency or neglect.

This bill was considered by the Common Council of Milwaukee, a body that no doubt is thoroughly familiar with the work of the sewerage commission, and was rejected.

For the above reasons I feel compelled to return this bill to you without my approval.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 13, 1919.

To the Honorable, the Senate:

I herewith return without my approval bill No. 423, S.

If this bill should become a law, it would prevent any candidate from declining a nomination unless such declination were made the day following the last day for filing his nomination papers. This under bill 415, S., would be the last Tuesday of July.

The bill also provides that if a nominee does or declines a nomination, the vacancy must be filled not later than the first Tuesday in August and when so filled shall have the same effect as an original nomination, i. e., the new nominee shall have his name

printed on the official ballot. But if a vacancy occurred by death after the first Tuesday of August and before the printing of the ballots, there should be no method by which such vacancy would be filled, until after the ballots were printed and then the name of the new nominee would have to be pasted on the printed ballots.

I can conceive of no good purpose which could be served by compelling a nominee, if he wishes to decline the nomination, to do so the day following the filing of his nomination papers. Neither can I see any reason for preventing the filling of a vacancy occasioned by the death of the nominee between the first Tuesday of August and the printing of the ballots.

In my opinion, it would be more satisfactory to leave the statute as it is than to amend it in the manner provided in this bill.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 17, 1919.

To the Honorable, the Senate:

I return herewith bill No. 524, S., without my approval.

This bill appropriates $107,000.00 for the next biennium for new additions to the Industrial Home for Women located at Taycheedah, Wisconsin.

The institution at Taycheedah was authorized by the Legislature of 1913. The appropriations were made, the grounds purchased and the building plans accepted prior to 1915 when I began my services as governor of the state. I make this statement because the Legislative Investigating Committee in its report severely criticized the amount paid for the grounds and left it to be understood, by inference at least, that my administration was responsible for it.

The construction has been interrupted by the war. During the war period much of the material used was commandeered by the government and was therefore unobtainable. Labor was largely engaged in war activities and the state's desire to pursue a public building policy that met the wishes of the government forbade the construction of buildings during that period. I am informed that all will be in readiness this fall and that the institution will be prepared to receive fifty-five inmates.

I have, since the beginning of my term of office, felt that this institution is largely experimental and that there is in fact no

pressing need for it. It is planned to provide a place for the correction of women who are sentenced by the courts for committing a felony, except murder, or are guilty of a misdemeanor or vagrancy, including such women as may have acquired drug habits or have lived an immoral life. The latter class are supposed to furnish the larger number of inmates.

The state maintains an institution at Milwaukee for the correction of wayward or incorrigible girls. Therefore those who are still within the age at which the state may reasonably expect to bring about a reformation are already provided for, although the law under which this institution is created permits the commitment of inmates as low as sixteen years of age. It seems to me that girls of that age had better be committed to the Milwaukee institution rather than force them into the association of the type of criminals that this institution is directed to receive.

The state prison at Waupun is equipped with separate apartments for women prisoners and at this time contains only twenty-seven. Of that number seven are sentenced either for life or long terms, and two are habitual criminals. The House of Correction at Milwaukee contains twenty-six female inmates, according to the last report.

It seems to me that the better method to care for women who are violators of the law is either under the probation or parole system, and it is the general policy of the courts to use the probation system in practically all cases that hold out any hope for reform. It is fatal to a woman's reputation to become an inmate of a penal institution. Although we refer to the institution at Taycheedah in polite terms it is a penal institution nevertheless, and a woman who serves a term there will, when she has completed her sentence, be accepted into society with no better grace than the woman who is discharged from Waupun.

The buildings that have been erected are beautiful and suggest that it was the purpose of the promoters of this institution to place the inmates committed to it in extraordinarily luxurious surroundings. Christian thought forbids that I criticise any effort made to retrieve a fallen woman. However, compared with other institutions and with what was really necessary for the purposes intended, it looks as if the state was going out of its way to reward immorality.

In contrast, for the mother who has lived an honest life and

who has brought a family of children into the world and labored hard and earnestly for them, and who through some circumstance becomes a dependent in her old age, the best that we have to offer to her is either a poorhouse or a home for the aged maintained by charity. The same prospect awaits the honest working girl who remains single and does not accumulate enough to care for her in her old age. But to the woman who has lived a life of crime, we offer a palace with no harder condition than the mere promise that she will sin no more.

I draw this comparison because I believe that the state's aid should first go to those who richly earned it.

The purposes of the law must be carried out, however I cannot agree to an expansion of this institution for the present. The capacity, that we have is, I believe, sufficient to carry on the experiment which we are making. If after a year or more has elapsed the results are found to be satisfactory to the people, it will be soon enough to spend additional sums for enlargement.

For the reasons that I have stated I decline to approve this bill.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, June 17, 1919. *Governor.*

To the Honorable, the Senate:

I return herewith bill No. 474, S., without my approval.

Under the provisions of this bill complete control will be given to the Milwaukee County Board of Supervisors over the Board of Administration, which has charge of the charitable institutions of that county.

My objections have been at least partially stated in my veto of bill No. 364, S. I will add, however, that I can conceive of no service that the Milwaukee County Board of Supervisors can render that will be of substantial aid to the Board of Administration which it seeks to control. If the Board of Administration is going to be of value to the institutions which are placed under its charge its acts should not be made subservient to the wishes of the County Board of Supervisors. If its acts and contracts are all subject to approval by the County Board then the Board of Administration becomes a mere clerical force and the work of administering the institutions may as well be undertaken by the County Board in the first instance.

The management of charitable institutions is a specialty that requires a knowledge which can be obtained only through experience and men who are engaged in that service should devote their entire time to the study of the needs and best interest of the people who are committed to their care. Successful management presents several problems. On the business side much money can be saved in careful purchases and with a good knowledge of the supplies that are really required.

There is a humane side which is at all times entitled to very careful consideration. The people who are committed to the institutions are helpless. They are hardly able to demand anything for themselves but must rely wholly upon the generosity of those in whose care they have been placed. The medical care is also a matter of great importance.

The difficulties of these problems makes it imperative that these institutions be placed in charge of men who are devoted to them and their management should not be hampered by the interference of authorities that give the work only casual attention and who do not understand their actual requirements.

Like bill No. 364, S., this bill seeks to remove all state supervision over the institutions in question.

For the above reasons I return this bill to you without my approval.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 23, 1919.

To the Honorable, the Senate:

I return herewith bill No. 364, S., without my approval.

This bill and bill No. 474, S., which may be referred to as a companion bill, seek to place Milwaukee County's institutions entirely under the supervision of the Milwaukee County Board of Supervisors.

The Board of Administration of Milwaukee County was created by act of the Legislature of 1915. The law provides that it shall consist of five members, three of whom shall be appointed by the County Board and two by the Governor.

This bill places the power of appointing the members of this board entirely in the hands of the County Board, which would leave the state without any representation.

This new form of institutional government was created for the purpose of co-ordinating the management of the institutions affected by it and in the interest of greater economy in their administration.

Prior to the creation of the Board of Administration the Hospital for Mental Diseases was governed by a board of five men who were appointed by the Governor, the Asylum for Mentally Diseased was governed by a board of five men, three of whom were appointed by the County Board and two by the Governor. Muirdale Sanatorium is a new institution and did not come into operation until the Board of Administration took office.

The experience of managing the institutions in question by a smaller board has proven satisfactory and I am of the opinion that the membership can be reduced to a board of three men who shall devote all of their time to the institutions. This should be done in the interest of greater economy and I am of the opinion that a more concentrated responsibility, and the further fact that the members be directed to devote their entire time to the service, will further improve the administration.

I am, however, not willing that the Board of Administration shall be made subservient to the orders of the Milwaukee County Board of Supervisors, nor will I agree to the proposition that the state shall be without representation. In view of the large amount of money contributed by the state to the support of the institutions that are affected I maintain that the state has an unquestionable right to demand representation. It may be of interest that I state for comparison the amounts of money contributed in 1918 by the county and by the state:

	Paid by the County	Paid by the State
Asylum for Mentally Diseased	$ 76,625.40	$ 70,209.15
Hospital for Mental Diseases	65,339.36	63,632.76
Muirdale Sanatorium	116,072.94	59,345.71
	$258,037.70	$193,187.62

It will be observed that of the total amount of money expended the state has contributed approximately 43 per cent. If the board is reduced to a membership of three it would seem to be only fair that one member should be appointed by the Governor in order to

give the state representation and some supervision over the expenditure of so large a sum of money.

Milwaukee County will not be in position to appeal to the generosity of the state in the aid of its charitable institutions if it entirely closes its doors to any and all participation by the state in the control of the expenditures.

No good reason has been advanced that I know of in support of this bill in its present form. I can conceive it to be nothing more than a desire on the part of the Milwaukee County Board of Supervisors to further extend their control over the affairs of the county and its expenditures of money. I believe it to be the will of a majority of the tax payers of the city and county that the broad powers which they now have over the expenditures should be curtailed and made more responsive to the will of the people.

For the above reasons I return this bill without my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, June 23, 1919. *Governor.*

To the Honorable, the Assembly:

I herewith return without my approval bill No. 569, A.

This bill seeks to change the method of selecting the jury list in Milwaukee county.

The law substantially as it now stands, was the first enacted in 1889 and applied to Milwaukee county only. This law gave such general satisfaction that in the revision of 1898 its provisions were extended throughout the state. As a state-wide method of drawing jurors, the present law has given universal satisfaction and there is no demand from the courts of Milwaukee county, or any other county, so far as I know, for any change.

Under the present law, the jury commission put on the list of jurors they furnish the clerk only the names of such persons as they believe to be "citizens of the United States who are qualified electors of this state, who are possessed of their natural faculties, who are not infirm or decrepit, who are esteemed in their community as men of good character, approved integrity and sound judgment, and who are able to read and write the English language understandingly."

Under the method proposed by this bill, the names of all those who voted in Milwaukee county at the last general election are

written on separate slips of paper, placed in a box, and then the names drawn at random from the box. The names of the ones first drawn are placed on the list furnished to the clerk provided that if any name so drawn "to the knowledge of any of the commissioners" does not possess the qualifications hereinbefore enumerated such name *may* be summarily rejected.

It is a physical impossibility for any three persons who may constitute the jury commission in Milwaukee county to know whether the persons whose names are drawn from the box under the proposed method are possessed of their natural faculties, whether they are infirm or decrepit, whether they are esteemed in their community as men of good character, approved integrity and sound judgment, and more particularly whether they are able to read the English language understandingly.

I feel certain that by the proposed method many names will be placed on the panel of jurors who are disqualified and their places will have to be filled by others, thereby causing delay and annoyance to the courts and expense to the taxpayers.

Subsection 3 of the proposed bill provides that the commissioners "are empowered to cause further investigation" but this is after the names have been placed upon the list. In my opinion, whatever investigation is to be made as to the qualifications of jurors should be made before and not after their names appear on the list.

Even though I were in full accord with the provisions of this bill, it ought not to become a law in its present form.

The title is defective in that the bill creates subsections 2, 3 and 10 of section 2533b, while the title is silent as to subsections 2 and 3.

Subsection 2 provides that in counties containing a population of over 150,000, the commission shall make the list in the manner provided in subsections 2 and 3 and in no other manner. While subsection 7 provides that the provisions of the entire act, i. e., provisions relating to counties with less, as well as those with over, 150,000 population "shall be applicable to any court of record in a county containing a population of over 150,000 which requires a jury."

The circuit courts and civil courts of Milwaukee County are courts of record. Thus, by the terms of the bill, we have two systems for the jury commission to follow in Milwaukee County which are entirely different one from the other.

Again, by the terms of the bill, the commission is to write the

names of those "who voted in the county at the last general election held therein." It does not provide, as was evidently intended, that the names of those who voted at the last general election prior to the time of the writing of the names should be written. As passed, only the names of those could be written who voted at the last general election prior to the passage of the act.

Further, subsection 3 of the bill does not provide for the commission making further investigation or any investigation but says the commission is "empowered to *cause* further investigation" to be made. Whatever investigation is to be made should be made by the commission and not by someone empowered to do so by them.

The bill does not provide that the commission shall reject the names of those who, to their knowledge, are disqualified. It says they may do so.

Being in accord with neither the purpose of the bill nor its present phraseology, I withhold my approval of it.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 23, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint

Ellen C. Sabin, of Milwaukee, Wisconsin, to be a member of the State Board of Education, for the term ending August 1, 1924.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 25, 1919.

To the Honorable, The Senate:

Pursuant to the statutes governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint

Fred. H. French, of Milwaukee, Wisconsin, to be a member of the Industrial Commission of Wisconsin, for the term ending June 30th, 1925.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, June 26, 1919.

To the Honorable, The Senate:

I herewith return without my approval Bill No. 434, S.

This bill raises the age limit for attendance at vocational schools after September 1, 1920, from seventeen years to eighteen years. It also provides that the permit age after that date shall be eighteen years instead of seventeen years.

I am advised by the State Board of Vocational Education that this bill would increase the percentage of minors attending vocational schools approximately forty per cent. I am also advised by said Board that they cannot possibly take care of the increase provided for in this bill by September 1, 1920, for three reasons. First, they have not sufficient funds with which to carry out its provisions; second, the local municipalities are limited by statute in the amount they can raise for vocational education, which limit is insufficient to permit such municipalities to take on the additional burden imposed; third, that even though sufficient funds were available, it would be impossible to provide necessary buildings in which to accommodate the increased attendance.

In fact, in some parts of the state, notably in Milwaukee, there are those who are now compelled, under the statute, to attend vocational schools, with the result that those attending such schools in Milwaukee, are receiving but four hours of instruction per week, whereas the statute provides for eight.

I am also advised by the member of the Industrial Commission who is an ex-officio member of the State Board of Vocational Education that the Industrial Commission has insufficient funds with which to carry out the provisions of the bill relating to the issuing of permits.

It is urged by some that the state ought not to raise the age at which minors are compelled to attend vocational schools nor the permit age from seventeen years to eighteen years. But as this question is a matter of public policy which the Legislature has determined affirmatively, I should feel it my duty to give this bill my approval were it not for the fact that its provisions can not be carried out for the reasons above stated.

As both the Vocational Board of Education and the Industrial Commission are unable at this time to carry out the provisions of this bill, I would suggest that the question of raising the age limit be referred to these two bodies and that they report to the next legislature both as to the advisability of raising the age limit

and as to the time when they will be so situated that they and the municipalities in which vocational schools are located can take on the additional burden if the age limit is to be raised.

If, in the end, it is found to be in the public interest to increase the compulsory vocational school age to eighteen years, the practical way to proceed would be to first make the necessary appropriations and provide the necessary buildings so as to be prepared to care for this large number of additional pupils rather than pass a law under which they are compelled to receive this additional instruction with no provisions for carrying it out.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated, June 25, 1919.

To the Honorable, The Assembly:

I herewith return without my approval Bill No. 183, A.

This bill provides that whenever an error has been made in any income tax assessment by either the assessor of incomes or the tax commission, resulting in either a larger or a smaller assessment than ought to have been made, either the assessor of incomes or the tax commission respectively shall have authority to correct the assessment and certify the amount of tax properly due to the treasurer of the district "and said treasurer shall collect from the person owing the tax the amount so certified whether it is greater or less than that appearing on the tax roll."

You will note that either the assessor of incomes or the tax commission, as the case may be, may increase as well as decrease the income tax assessment. No provision is made for giving any notice to the person whose income tax is thus increased before the increase is made; neither is he given the right to appeal afterwards. Thus an arbitrary increase in the income tax assessment may be made under the provisions of the bill without notice or hearing or the right to have the same reviewed by the Board of Review or otherwise. In all other tax proceedings, including the original income tax assessment, the right of review or appeal is given. Under the provisions of this bill property is taken without due process of law and the person whose property is thus

taken is denied the equal protection of the law—both contrary to constitutional provisions.

For these reasons, I can not give the bill my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated June 26, 1919.

To the Honorable, The Assembly:

You have before you Senate Bill No. 538, which contains the following provisions:

It directs that a tax of three mills on every dollar of the assessed valuation of the property of the state be placed upon the tax roll of 1919, and in addition thereto a surtax on every person's taxable income which begins with the levy of one and three quarters per cent on the fourth one thousand dollars and increases with each additional one thousand dollars income until it reaches twelve thousand dollars, and upon that and all larger amounts it levies a tax of six per cent.

In addition it levies a surtax on the income of corporations beginning with two per cent on one thousand dollars and increases with each additional one thousand dollars income until it reaches seven thousand dollars, and that and all larger amounts are taxed at the rate of six per cent.

The income tax provided in the bill exempts an income of six per cent on the capital stock, surplus and undivided profits of a corporation. No offset will be allowed for personal property taxes paid.

The mill tax is estimated to yield approximately fifteen million dollars. It is generally conceded by men capable of making a fair estimate that the income tax provision would yield between five and six million dollars. It is a safe estimate to state that the systems combined will yield twenty million dollars.

The money which this bill, if it becomes a law, will raise shall be used to pay a bonus to the soldiers, sailors, marines and nurses that served during the World War, the distribution to be made upon the following basis: To each and every person named there shall be paid a sum not exceeding ten dollars for each month of service, with a minimum of fifty dollars, as a token of appreciation of the character and spirit of their patriotic service, and so forth.

No figures are available now which would with any accuracy give the total amount that the state must pay in compliance with the proposed statute. It is, however, estimated that the total amount of the tax levy would be used—in fact, there is a question whether it would be sufficient.

This proposed tax levy is probably the largest that ever was made in a state of two and one-half million people, and in this connection I should remind you that we have already appropriated five hundred thousand dollars to care for the sick and needy soldiers, sailors and marines, and that another bill, which in legislative circles is known as the "Nye Bill," is now on the way to the Executive Chamber, which, if approved, will cost large sums. It provides that every soldier, sailor or marine who served during the World War may enter any of the normal schools or the state university and receive thirty dollars per month from the state during a period of four years, or the term through which he attends school.

Just how many soldiers will take advantage of that bill if it becomes a law is problematical. We know this, however, that a four year term will cost the state over one thousand dollars per soldier. It seems to me that it is conservative to estimate that ten per cent of the number enlisted will take advantage of this offer, particularly in view of the fact that the law permits adults to take special courses, which would mean that there is no age restriction. If the estimate of ten per cent is correct it will require ten million dollars to carry through the provisions of the Nye Bill. Therefore the amount of money required to meet the obligations created by this session for the benefit of the soldiers will reach over thirty million dollars.

While we all feel grateful to our soldier boys for their patriotic services, I feel that we should not appropriate these tremendous sums of money without consulting the people, and I should say in this connection that the appropriation of five hundred thousand dollars to take care of the sick and needy has already been approved and is therefore a law.

May I suggest to you that you deal with Bill No. 538, S., which appropriates approximately twenty million dollars as follows: That instead of either approving or disapproving the bill at this time you pass a substitute with the following provisions: Refer the question of the tax levy which must be made to meet it this year

to a vote of the people, to be voted upon at a special election to be called by the governor, through the secretary of state, on August 19, 1919. If the levy is approved by the people the Act should request the governor to call a special session of the Legislature immediately after the referendum vote is canvassed and counted, for the purpose of enacting the necessary legislation to make the law operative, the special session to be held only if the people by their vote approve the tax levy.

The referendum vote and the action of the legislature will in no wise interfere with placing the tax levy upon the tax roll of 1919 and will, therefore, in no sense defer the time when the soldier may receive his bonus.

It is currently reported that the national government is seriously considering a like proposition, and in the event that Congress appropriates a sum that is substantially equivalent to the per capita amount herein provided and for the same general purpose, then there should be no further appropriation by the state, and the bill which I have suggested that you pass should become null and void, provided such action is taken by Congress prior to the time for calling a special session of the Legislature.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, June 28th, 1919. *Governor.*

To the Honorable, The Assembly:

I herewith return without my approval Bill No. 405, A.

The provision requiring the approval of judges of the circuit courts of the appointments of deputy clerks of the circuit courts has been on the statute books since 1849 and, so far as I know, has given universal satisfaction. The clerk and his deputies are, in a sense, officers of the court and their efficiency and qualifications are a matter of deep concern, and rightly so, to the judges of the court.

The reason for exempting Milwaukee County from the provisions of this law must be based upon one of two grounds: First, because there is more than one deputy clerk in said county or, Second, because deputy clerks were thought to be under the civil service law of that county.

As to the first ground, there are counties in the state other than Milwaukee County, which have more than one deputy.

As to the second ground, the civil service law of Milwaukee

County does not cover a deputy clerk of the circuit court. See Section 772—4 of the statutes as renumbered and amended by Bill 439, S., now Chapter 365, Laws of 1919.

Believing that no good purpose can be served by exempting Milwaukee County from the provisions of this old and wholesome statute, I do not feel that I can give this bill my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated July 1, 1919. *Governor.*

To the Honorable, The Assembly:

I herewith return without my approval Bill No. 152, A.

This bill is designed to enlarge the number of policy holders in the life fund by providing for the appointment by the Commissioner of Insurance of agents to solicit insurance on behalf of the life fund. This bill provides for the compensation of such agents from the premiums collected, but makes no provision for loading the present premiums to care for the additional expenses.

The amount of loading for expenses and contingencies is limited by statute. Subsection 4 of section 1989m provides: "The premiums for life insurance in the life fund shall be based upon the American experience table of mortality with additions for extra hazards and with interest at three per cent per annum, to which shall be added for expenses and contingencies $2.00 per year per thousand dollars of insurance and an amount distributed equally through each of the possible premium payments, the present value of which shall be equal to one-sixth of the present value of the cost of insurance on the basis aforesaid."

Subsection 5 of the same section provides: "The premiums for annuities shall be based upon the British offices annuity tables, 1893, with interest at three per cent per annum with additions for expenses and contingencies distributed equally through each of the premium payments, the present value of which shall be one-sixth of the net single premium for such annuity."

It will be seen that the law now provides for loading for expenses and limits the amount which can be charged to each policy for expenses of maintaining the fund. The loading for expense is practically all absorbed by the payment of one-half of the salary of a clerk in the department of insurance for services to the life fund.

The amount which may be retained as commissions is also limited by statute. Paragraph (b) of subsection 13 of section 1989m provides: "There shall be retained by any person insured paying direct, or by any other person transmitting any premium, a fee of twenty-five cents for each application and a fee of one per cent on the amount of the premium."

The subsection is repealed by this bill and the commission increased to fifty cents for each one hundred dollars of insurance issued, plus ten per cent of the first premium.

The bill not only provides for greatly increased commissions, but makes no provision to take care of this extra compensation. The only fund from which this commission can be taken is from the surplus fund which has been built up by present and past policy holders and out of dividends which belong to them.

This bill is inconsistent with the act establishing the life fund. If this bill should become a law, the result would be that the present policy holders would be compelled to bear the burden of the additional commissions either from the surplus which belongs to the present policy holders or by way of reduced dividends. The effect of the bill would be to decrease the security of present and future policy holders and the ability of the life fund to mature its contract. In other words, if these extra commissions are paid, there is no fund from which the money is obtainable excepting from the surplus or from dividends, both of which belong to past and present policy holders.

I take the liberty of calling your attention to what I said in my message to you on this subject: "If this enterprise (state life insurance) is to prosper and grow, as it must to have a normal experience, it must have an organization for soliciting business. If the expense of such an organization is incurred, the fund can offer no inducement not offered by privately managed life insurance companies and fraternal societies."

Not only would this bill so affect the life fund so that it "can offer no inducement not offered by privately managed life insurance companies and societies," but it would so deplete surplus and dividends that the fund would be unable to mature its contracts.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated July 3, 1919.

To the Honorable, The Assembly:

I herewith return without my approval Bill No. 483, A.

This bill provides that the supervisors of any town may close any portion of a highway to traffic or travel during the progress of repair or construction and may erect "barriers at either or both ends of the portion of such highway thus designed to be closed to travel." The bill further provides that any person who travels upon any portion of the highway closed by the erection of a barrier shall be guilty of a misdemeanor and punished by a fine of not less than ten dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than ten nor more than sixty days or by both such fine and imprisonment. If this bill were to become a law in its present form, the result would be that any highway might be closed by erecting a barrier at one end only of a highway thus closed and yet fine or imprison anyone traveling on the enclosed highway up to the barrier. If anyone is to be punished for traveling upon a closed highway there should be a barrier at both ends of the closed portion of the highway.

The time within which I must either approve or disapprove of this bill expires July 4th, and as the Legislature is not in session until after that date, it is impossible for me to suggest that the bill be recalled and amended by striking out the words "either or" in line 5 of the enrolled act, and I am, therefore, compelled to return the bill to you unapproved.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated July 3, 1919.

To the Honorable, The Assembly:

I return herewith Bill No. 587, A. without my approval.

This bill is a re-enactment of Bill No. 29, A. which I vetoed under date of April 23, 1919. It may be said that it in a measure changes the method of procedure, however in its general provisions it remains the same as the former bill upon the subject and it amounts to legislative recall of public officers, except such as are specifically provided for by the constitution. The objections which I presented to you in my veto of Bill No. 29, A., apply to this bill also and I will repeat here in part what I said in my

former veto in opposition to the principle of a legislative recall of appointive officers.

This bill is an amendment to Section 12.23 and 13.24 which provide for an interrogation of public officers by either or both houses of the Legislature, and under the statute so amended the scope of the hearing may be said to be in a degree limited; however, each member of the Legislature will have the privilege of voting for the removal of public officers for any reason that is satisfactory to his own mind.

Briefly stated, under the provisions of this bill it will be within the power of the Legislature to remove any public officer whose office comes within the scope of this bill for any reason whatsoever whether it be personal or political—in fact, the removal may be brought about by a combination of small groups of men who oppose the incumbent for as many reasons as there are groups.

Since 1900 the Legislature has created a number of commissions to which have been assigned important administrative functions. The history of the legislation which created them is not so old that we cannot recall the circumstances that surrounded these measures and the promises that were made to the people at the time they were created. In delegating great powers to these administrative bodies it has been a matter of deep concern to the legislators and the people that they be placed out of the reach of political influences.

In the case of the Railroad Commission the proposition to elect the Commissioners by popular vote was rejected by the Legislature for the reason that the effect of their rulings may so vitally affect the general welfare of the people that it was deemed unwise to select its members by popular vote because it was generally believed that there was danger that special interests might, with the use of money and influence, affect elections.

The bill in question may accomplish indirectly what the Legislature and the people sought to avoid at the time that the Railroad Commission was created. If it is within the power of the Legislature to remove any member of that Commission at will we will then have provided a method by which private interests that may have a grievance against a commissioner because he has refused to yield to their demands may bring about his removal by entering the legislative campaigns and, with the use of money and influence, send men to the Legislature committed to the prop-

osition of the removal of such commissioner. In other words, we will expose the entire administrative force who hold their office by reason of appointment to political influence, and no commissioner or officer will be safe in his position unless he has at all times his ear to the ground and is willing to barter the public interest for political influence.

In my judgment the legislative recall of appointive officers is a departure from the forms of government established by our constitution both national and state. The constitution prescribes the distribution of power to the different departments of government and the limitations upon the officers invested with the authority in each department. The distribution follows the natural and logical lines of the distinction between the different kinds of power — legislative, executive and judicial. To each branch has been assigned certain functions. To the executive is given the power and upon him is placed the responsibility, for the execution of the law. The responsibility to the people for the proper administration of the laws and policies laid down by the Legislature, and which are carried out by these administrative bodies, rests if not directly at least indirectly upon him, and I think properly so.

Our constitution in describing the Governor's duties says that he "shall take care that the laws be faithfully executed." If the Legislature will assume the right to remove public officers, we shall then have a divided authority and a divided responsibility and will have destroyed the systematic process of government that our constitutions provide.

I have reasons to suggest to you that this bill may be unconstitutional. The Supreme Court of Missouri has held that a proviso in an appropriation bill that none of the money should be available or paid so long as the then commissioner remained in office was unconstitutional because the Legislature could not say indirectly who should be appointed to or removed from an appointive office.

In discussing this bill I should not fail to remind you of the fact that the principle of the recall was submitted to a vote of the people in the form of a constitutional amendment as late as 1914 and was overwhelmingly rejected. Nothing has transpired since then that may cause us to believe that there is any radical change in public sentiment upon that question.

The objections which I have stated forbid me to give this bill my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 2, 1919. *Governor.*

To the Honorable, The Assembly:

I herewith return without my approval Bill No. 626, A.

It has always been the policy of the Board of Regents of the University, and I think wisely so, to require the unit or units of government where state agricultural experimental stations are located, to contribute the land on which these stations are at first located.

Ashland contributed 160 acres, Spooner 80 acres, and Marshfield 80 acres. I am advised that when the station was located at Hancock it was with the understanding that there would be contributed to the state an eighty acre tract and, by an act passed in 1917, an additional forty acres was to be contributed.

It now develops that the eighty acres first promised is not to be contributed but is to be sold to the state for $3,346.27.

I deem it unwise to sanction any departure from the policy heretofore pursued by the Board of Regents of the University and in this I am supported by the Finance Committee of the Legislature, who twice recommended this bill for indefinite postponement.

For the foregoing reason, I decline to give this bill my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 3, 1919. *Governor.*

To the Honorable, The Assembly:

I herewith return without my approval Bill No. 633, A.

This bill appropriates $5,000 to pay the expense of a joint legislative committee to cooperate with the Board of Public Affairs, the Civil Service Commission and the State Engineer in making a study of the salaries and wages paid to those in the service of the state and to report to the next Legislature its recommendation in the form of a bill for the revision of such salaries and wages.

I have no objection to a legislative committee or any member of the Legislature cooperating with the Board of Public Affairs or any other state agency in conducting any investigation.

The Board of Public Affairs, however, has the authority and the necessary machinery for making the investigation provided for in this bill.

It may be well in this connection to call attention to the fact that the Legislature has four members on the Board of Public Affairs.

As the Legislature has expressed its desire to have this investigation made, I will see to it that the Board of Public Affairs does make such investigation and reports its recommendations to the next Legislature. This investigation can be made by the Board of Public Affairs out of its present appropriation and thereby the state will be saved the $5,000 appropriated by this bill.

In the interests of economy in the administration of the affairs of the state, I consider it my duty to prevent all unnecessary expenditures of public funds, and as it is my opinion that this investigation can be properly made by the Board of Public Affairs, at a saving to the state, I deem it my duty to withhold my approval of this bill.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 2, 1919.

To the Honorable, The Senate:

I herewith return without my approval Bill No. 406, S.

This bill amends Section 40.02 of the Statutes. Bill No. 231, A., now Chapter 166, Laws of 1919, also amended this same section, but said amendment is not incorporated in this bill. The effect, therefore, if this bill should become a law, would be to repeal Chapter 166.

No limit is placed upon the amount for which the state might be liable under this bill. It is estimated that the amount would not exceed $15,000. In my opinion, it would be unwise not to incorporate in this bill a limit on the state's liability.

The bill, as originally introduced, contained a provision that no state aid should be given under the bill to any district if it was advisable to consolidate said district with one or more ad-

joining districts. Nor should state aid be given on account of any school if it is feasible to provide for instruction of the pupils of said school in some other school. I think this provision should have been retained in this bill.

The time within which I may retain the bill without its becoming a law expires on July 4th, and, as the Legislature is not to be again in session until after that date, it is impossible for me to have the bill recalled for the purpose of incorporating the amendments above suggested. If, however, the Legislature sees fit to pass another bill on this subject, incorporating therein the features above indicated, I shall be pleased to give the same my approval.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 3, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint

Miss Maude E. Neprud, of Viroqua, Wisconsin, to be a member of the State Board of Control for the term ending the first Monday in February, 1921,

Mr. George B. Harris, of Waukesha, Wisconsin, to be a member of the State Board of Control for the term ending the first Monday in February, 1923,

Mr. E. A. Everett, of Eagle River, Wisconsin, to be a member of the State Board of Control for the term ending the first Monday in February, 1925.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 8, 1919.

To the Honorable, The Senate:

Pursuant to the statute governing, I hereby nominate and, by and with the advice and consent of the Senate, appoint

Fred M. Wilcox, of Appleton, Wis., to be a member of the Industrial Commission of Wisconsin, for the term ending June 30, 1925.

Respectfully submitted,
EMANUEL L. PHILIPP,
Governor.

Dated, July 9, 1919.

To the Honorable, the Legislature:

I have approved Bill No. 146, S., which relates to the manufacture, sale and transportation of intoxicating liquors.

The bill defines intoxicating liquors to mean any beverage or patent medicine capable of being used as a beverage that contains more than two and one-half per cent alcohol, and forbids the manufacture, sale or transportation of such beverage or medicine in the state of Wisconsin, except under certain restrictions contained in the bill.

All beverages or patent medicines containing less than two and one-half per cent alcohol are declared to be non-intoxicating and are therefore not included with the commodities prohibited by the bill.

The bill suspends Chapter 66 of the statutes of Wisconsin for 1917, entitled "Excise and the sale of intoxicating liquors." The suspension of this section permits the sale of beverages and patent medicines of less than two and one-half per cent alcoholic contents without restriction. In my judgment this should not be done.

Malt or vinous beverages permitted to be sold under the provisions of Bill No. 146, S., should not be sold without a permit, subject to the rules and regulations that controlled the sale of such beverages when the alcoholic contents were not regulated by law. The law regulating the sale and handling of the products above referred to should forbid the sale to minors and all other persons to whom this privilege was formerly denied.

The location of places where these beverages are sold should also be controlled by the statute. I have particular reference to the provisions of Chapter 66 which, with some exceptions, prohibited the sale of any liquor within certain distances of any school, college or the university, any church, soldiers' camp or soldiers' home. In fact, all the provisions contained in Chapter 66, which regulated the liquor traffic, should be re-enacted, and I have caused a bill, which contains all the provisions of the chapter I have referred to, to be prepared and submitted to your honorable body.

I trust that you will appreciate the importance of my suggestions in this matter and that you will, before your final adjournment, pass the legislation upon this subject that I am asking for.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated, July 14, 1919.

To the Honorable, the Legislature:

I have before me bill No. 614, S., which appropriates a sum not to exceed one hundred thousand dollars for the maintenance of twenty local free employment offices.

I believe this to be an excessive appropriation for the purposes for which it was made and I will ask you to reconsider the bill with a view of reducing the amount in the interest of economy. I believe this can be done without injury to the service.

In order that you may better understand my views upon the subject I submit herewith a table showing the number of agencies that have been operated within the state in the past six months, the cost of each and the results obtained. This table has been furnished to me by the officer of the United States Government, who has had charge of these agencies during the six months that the statement covers.

PLACEMENTS BY OFFICES IN OPERATION JUNE 30, 1919, AT THE END OF SIX MONTHS.

Offices	Jan.	Feb.	March	April	May	June	Total	Personnel	Salary and expenses
Milwaukee	4,426	3,693	3,320	2,732	4,094	3,885	22,150	16	$22,000
Superior	1,204	1,006	720	836	1,329	1,044	6,179	4	5,400
Racine	1,636	973	876	800	877	671	5,833	3	3,600
Green Bay	610	469	489	513	780	619	3,480	3	3,600
Kenosha	841	608	537	548	317	226	3,077	2	2,500
Hurley	910	480	316	118	151	193	2,168	2	2,500
Sheboygan	270	329	272	236	541	357	2,005	2	2,500
Rhinelander	401	299	398	213	310	328	1,949	2	2,500
Madison	92	249	187	262	545	546	1,881	2	2,500
Waukesha	392	437	298	.....	421	298	1,846	2	2,500
La Crosse	219	154	133	320	450	235	1,511	2	2,500
Oshkosh	207	201	193	243	308	357	1,509	2	2,500
Wausau	329	218	105	137	202	130	1,121	2	2,500
Ashland	256	168	261	122	152	156	1,115	2	2,500
Janesville	138	106	99	242	211	287	1,083	2	2,500
Marinette	377	249	109	.....	68	193	996	.....	.....
West Allis	284	116	109	73	221	139	942	.....	.....
Eau Claire	244	141	61	105	97	77	725	.....	.....
Marshfield	126	101	93	115	124	139	698	.....	.....
Manitowoc	157	58	98	43	202	38	596	.....	.....
Watertown	76	52	71	33	43	39	314	.....	.....
	13,195	10,147	8,745	7,691	11,443	9,957	61,178	48	$62,100
Administration and expense	.....	.....	.....	.....	.....	.....	.....	.....	10,000
									$72,100
Government paying now fifteen offices	.....	.....	.....	.....	.....	.....	.....	.....	18,000
									$54,100

*Not in operation July 1: Beloit, Chippewa Falls, Menasha.

EMPLOYMENT OFFICES

Milwaukee—16	Superintendent	$2,000	
	Woman Superintendent	1,500	
	Stenographer	1,100	
	Telephone Girl	900	
	Soldier Bureau:		
	Manager	1,800	
	Assistant	1,500	
	Women—1	1,200	
	1	1,100	
	1	900	
	Men— 4 ($1,500)	6,000	
	1	1,350	
	2	2,400	
	16		$22,000
Superior—3	Superintendent	$1,800	
	Assistant Superintendent	1,500	
	1 Woman	1,200	
	Stenographer	900	
			5,400
Racine	Superintendent	$1,500	
	Women	1,200	
	Stenographer	900	
			3,600
Green Bay	Superintendent	$1,500	
	Women	1,200	
	Stenographer	900	
			3,600
Eleven Cities	Each 2	$1,500	
	Superintendent	1,000	
	Women	.....	
		$2,500	27,500
			$62,100
	Administration and expenses	.....	10,000
			$72,100
	Government paying now fifteen offices		18,000
			$54,100

I think it is an entirely fair view to take of this service when I say that an agency that has placed less than one thousand people in six months does not justify its existence. This will eliminate at least six agencies from the list. Consolidations can be made that will continue at least two agencies, without additional expense, that are now being operated separately.

The officer in charge gives it as his best judgment that an appropriation of fifty thousand dollars will be sufficient to carry on the work in an efficient manner and give assistance to all who can really be benefited by it.

The labor situation at the present time does not seem to call for much assistance to the laboring man who is looking for work—in fact, jobs are looking for men rather than men for jobs. It is a recognized fact that there is a shortage of labor in the factory and on the farm, and no able-bodied man who is willing to work is justified in loitering very long on the ground that he does not find employment.

Labor agencies may be useful in locating men in jobs that are to their liking—in fact that is about the only service that they can now render, at least to men, at a time when farmers, contractors and factories are all looking for men at high wages. If at any time it becomes apparent that returning soldiers are not promptly cared for I shall detail members of the State Guard to act as labor agents for such returning soldiers. That service, however, will not last long as it is confidently expected that the army will be completely demobilized within the next two or three months.

I feel that you should agree with me that it is our duty to the taxpayer to trim our appropriations wherever we can do so without material injury to the state's service. In this connection I wish to call your attention to the fact that the appropriations that you have thus far made amount to approximately forty-five million dollars for the biennium. This compared with the appropriations made by the last Legislature of thirty-four million dollars for the biennium is an increase of eleven million dollars. This does not take into account the amount that may be necessary to finance the so-called Nye Educational Bill. If that becomes a law it may require two million or ten million dollars. No estimate is obtainable at this time—it depends entirely upon the

number of soldiers who will take advantage of the benefits that the law offers.

This enormous sum of money, added to the increased appropriations made by counties and municipalities, particularly by the former for road building, will bring the total taxes that will be collected by the state, counties and municipalities to a very large sum. Unless some trimming is done wherever it is possible the taxpayer will be heard from when the bills are presented to him for payment.

We must not forget that the United States Government is collecting enormous taxes from our people, and there is no indication that the demands from that source will be reduced within the near future. The tendency of the Congress to continue to make billion dollar appropriations is beginning to alarm thoughtful people. There will be no complaint about paying the legitimate expenditures of the war but now that the war is over the people will rightfully demand that every reasonable economy be practiced by our government, both state and national. Because the spirit of wastefulness has prevailed in Congress it does not follow that the states too shall engage in reckless expenditures. The question may properly be asked: Where is the money coming from? Must the people in the end devote their energies entirely to the earning of money for the payment of taxes?

The large appropriations that have been made have caused me to send this message to you to call your attention to the expenditures that you have authorized, and I ask you to meet my views upon such appropriations as it is still possible to curtail in order that we may avoid the charge of having been wasteful with the people's money.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 14, 1919. *Governor.*

To the Honorable, the Senate:

I return herewith Bill No. 416, S., without my approval.

This bill changes the organization of party committees in Milwaukee city and county to the basis of one representative from each assembly district.

Party committees have for years been organized on the basis

of one member from each ward or town. Organizations have been made upon that basis and I have heard of no complaint from either the city of Milwaukee or surrounding towns that the organization created by the present law makes the committee too large and unwieldy.

The bill takes effect upon passage and publication and would abolish the present county committees, which could not be reorganized until after another primary is held. In the county that could not be done until the primary, which will be held in September of 1920. This would in effect leave the political parties of that county and city without any official organization.

For the reasons stated I cannot approve the bill.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 14, 1919. *Governor.*

To the Honorable, the Senate:

I return herewith Bill No. 348, S., without my approval.

This bill provides for a compensation of thirty dollars per month to any person attending school under its provisions who is honorably discharged, released or on a furlough from any branch of the military or naval service of the United States, and who at the time of entering such service, which must have been prior to October 1st, 1918, was a resident of this state.

He may elect to go to any one of the following schools: The Wisconsin Mining School, Stout Institute, any of the several normal schools, the State University, or any private college or higher institution of learning at which during 1918 there was located a Students Army Training Corps. The compensation to be paid each month during the time that the student actually attends such school and for a period not to exceed four years.

The benefits of this bill are available only to such persons who possess the necessary entrance requirements of the institution which he elects to attend, excepting such as may be admitted as adult specials.

It will be observed that this bill grants a valuable privilege to such discharged soldiers, sailors and marines as are fortunate enough to have a high school education or its equivalent, but makes no provision whatsoever for the larger number who rendered service and whose education ended in the grades or country school. It should be needless to say that those who are so situated will not

possess the necessary educational qualifications to give them admission to the higher institutions of learning.

I look upon this bill as class legislation within the meaning of our Constitution and I believe it to be wrong in principle because it does not offer equal opportunities to the men who have rendered a like service.

If we are to think of the educational needs of our young men we cannot avoid the conclusion that the boy who left school when he was in his sixth grade or who had merely the advantages of a country school needs the additional educational opportunities far more than the young man who has had the privilege of going through a high school or similar institution of learning.

It is no answer to say that he who chooses to accept this privilege will forfeit some other bonus that is given by the state. The largest amount that will be paid by the state to any soldier who has served two years (which is practically the maximum term of service) will be $240.00 if the bill which will be referred to the people will become a law. Under the provisions of this bill the soldier may attend college for a term of four years and receive $1,080.00 from the state.

I do not wish to stand in the way of this educational privilege which the Legislature seeks to give to the soldier. I recognize it as a gift that the soldier can neither lose nor squander, one that will be helpful to him during the remainder of his life, and I am sure he will appreciate it more than any other donation that the state can make to him. However, if the state is going to grant this privilege it should be extended to all who wish to take advantage of it, regardless of their educational qualifications. If that be done, the soldier must necessarily resume his education where he left off when he quit school and that situation necessarily raises some new questions which the Legislature, in my judgment, must meet.

The age of the soldier and sailor ranges from seventeen to forty-five. No doubt many who would wish to take advantage of the offer would find it necessary to go into the grades that are attended largely, if not entirely, by boys and girls under the age of fifteen. We cannot reasonably expect that the men who have rendered military service would wish to share the schoolroom with young children, nor would it be practical that they do so from the standpoint of the welfare of the school. It seems to me that

to fairly carry out this proposed educational privilege provision should be made for special schools for these men, in order to give them a reasonable opportunity to secure the full benefit of the peoples generosity.

No inquiry has been made, and no one seems to know how many men would take advantage of this bill as it is now written; nor has any investigation been made, so far as I am able to learn, to determine how many of this class of students can be accommodated at the university or other institutions named with the instructional staff that the appropriations made to these institutions will permit them to employ. If as many as one thousand soldiers, in addition to the regular enrollment, would wish to attend the university it will be necessary to made additional appropriations to pay for the extra service demanded of that school. The same may be said of the balance of the state institutions and I feel confident that the private colleges are not in position to take in any large number. The entire scheme is a step in the dark and it seems to me that the first thing to ascertain is the number that propose to avail themselves of this opportunity.

There are other questions in connection with this enterprise that should be cleared up. The university, normal schools and colleges have standards of work that they must insist upon in order to maintain the reputation of their institutions. There is a percentage of failure among the regular students and we have no reason to believe that the percentage of failure among the soldiers would be any less. The question is, what is the institution to do with the man who cannot keep up with his class? Is he to be thrown out and further educational opportunities denied to him, or shall he be returned to some school where he is liable to do the work that is expected of him, and where he can make real progress? This bill is silent upon that subject.

It seems to me that some provision must be made for that type of students unless it is our desire to extend this educational privilege only to those who are very brilliant and are able to carry the work of the institution they attend.

The purposes of this bill are costly and if as many as ten per cent of the men who were in the service take advantage of it, assuming that the privilege will be extended to all, it will cost approximately ten million dollars. This expense will be spread over four years, and in that connection I wish to call attention

to the fact that the bill places no limit upon the time when the privileges under it shall be taken. If a soldier decides to go to school ten years from now, unless the law is changed, the privilege is still open to him. However, I merely wish to call attention to, but not to criticise, that feature of the bill.

It seems to me that the best interest of the soldier and the schools demands that we go into this undertaking in a systematic way. The first thing to determine is how many men will accept the offer, what their qualifications are and where they wish to attend school, and any other information that is necessary to determine the best plan to follow. We must also be able to advise our educational institutions what they may expect in the way of increased attendance from this source in order to enable them to make the necessary preparations.

I shall request the Adjutant General to immediately send out a questionnaire to every man who was in the service in order to ascertain the number who wish to take advantage of this proposed educational privilege; also their educational qualifications in order that we may know how to classify them.

The details of this proposition should receive attention and study and I propose to submit the entire question to the State Board of Education for its consideration. That body is well informed on the possibilities of our educational institutions and can best determine how to meet any situation that may arise under the provisions of this bill.

I shall assume that the Legislature will wish to so frame its law that the privileges will be open to all who were in the service at the requisite time, and I hope to be able to present a well worked out plan before the beginning of the fall term of our schools. The project is of sufficient importance to warrant the calling of a special session of the Legislature. In that, however, I shall be guided by the results of our inquiries among the soldiers and the findings and recommendations of the State Board of Education.

I will repeat that in its present form I regard the bill as inadequate to meet the situation and unjust to a large number of men who as soldiers rendered a service quite equal to those who have had better educational opportunities, and furthermore, I believe it to be class legislation in the sense that the term is generally understood and is prohibited by the courts.

For the reasons that I have stated I am compelled to decline to approve this bill.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 19, 1919. *Governor.*

To the Honorable, the Senate:

I herewith return without my approval Bill No. 610, S.

This bill is an exact copy of Bill No. 434, S., which I returned without my approval June 25, 1919, except that wherever the year 1920 occurred in Bill 434, S., it is stricken out and 1921 inserted in its place.

In my message vetoing 434, S., I said:

"I am advised by the State Board of Vocational Education that this bill would increase the percentage of minors attending vocational schools approximately forty per cent. I am also advised by said Board that they can not possibly take care of the increase provided for in this bill by September 1, 1920, for three reasons. First, they have not sufficient funds with which to carry out its provisions; second, the local municipalities are limited by statute in the amount they can raise for vocational education, which limit is insufficient to permit such municipalities to take on the additional burden imposed; third, that even though sufficient funds were available, it would be impossible to provide necessary buildings in which to accommodate the increased attendance.

"In fact, in some parts of the state, notably in Milwaukee, there is at the present time, insufficient housing facilities to care for those who are now compelled, under the statute, to attend vocational school, with the result that those attending such schools in Milwaukee, are receiving but four hours of instruction per week, whereas the statute provides for eight.

"I am also advised by the member of the Industrial Commission who is ex-officio member of the State Board of Vocational Education that the Industrial Commission has insufficient funds with which to carry out the provisions of the bill relating to the issuing of permits.

"As both the Vocational Board of Education and the Industrial Commission are unable at this time to carry out the provisions of this bill, I would suggest that the question of raising the age limit be referred to these two bodies and that they report to the next

Legislature both as to the advisability of raising the age limit and as to the time when they will be so situated that they and the municipalities in which vocational schools are located can take on the additional burden if the age limit is to be raised.

"If, in the end, it is found to be in the public interest to increase the compulsory vocational school age to eighteen years, the practical way to proceed would be to first make the necessary appropriations and provide the necessary buildings so as to be prepared to care for this large number of additional pupils rather than pass a law under which they are compelled to receive this additional instruction with no provision for carrying it out."

What I said regarding Bill No. 434, S., is equally applicable to the present bill.

Before this bill goes into effect, the people will have elected a new Governor and a new Legislature.

This bill does not make any appropriation. In fact, this Legislature could not bind the Legislature of 1921 by making an appropriation at this time. Neither should this Legislature attempt to tie the hands of the Legislature of 1921 by inaugurating a public policy which that Legislature might not wish continued and might not make sufficient appropriations to carry out.

The better way to proceed is as I suggested in my veto of Bill 434, S., to-wit, that the question of raising the age limit be referred to the Vocational Board of Education and the Industrial Commission to report to the next Legislature and leave it to that body to handle the question unhampered by any action taken at this time.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 18, 1919. *Governor.*

To the Honorable, the Senate:

I return herewith Bill No. 105, S., without my approval.

The purpose of this bill is to add the teachers employed in the normal schools, the county training schools and the county schools of agriculture and domestic economy in this state to the list of teachers eligible to the teachers' insurance and retirement fund.

As stated in my veto of Bill No. 570, S., this fund is facing a rapidly increasing deficit. It would in my judgment be unwise, and in fact unfair, to the teachers named in this bill to

exact contributions from them to a fund that is rapidly being depleted and is therefore unable to comply with the obligations that it assumes. The entire plan must be revised and with that thought in mind the Legislature appointed an interim committee to report to the next session.

I recommend that the addition of teachers to this privilege be postponed until a re-adjustment is made that will give the assurance that the promises made under this plan of insurance can be carried out. It will be a great disappointment for any teacher who has paid into this fund and has relied upon it for support in old age to find when the critical time comes that the fund is not sufficient to pay the guarantee.

It may be well to add in this connection that unless this system of insurance is changed to make it self-sustaining the deficit will in the end become a moral obligation upon the state. The state cannot afford to create an institution of this type under its laws and hold it out as an inducement for its servants as a reward for service and when the time comes for payment to find the fund depleted and only a partial payment available for the beneficiary. The state has a real obligation in this matter which it must meet, and no time should be lost in the preparation of a new plan which will be as fair as it can be made to those who are now members of this retirement fund and will give the assurance to the new members that there will at all times be enough available money to carry out the contracts in full.

I have recently approved Bill No. 590, S., which reduces the payment to annuitants under the teachers' retirement fund fifteen per cent up to June 30, 1921, and it makes the further provision that no annuitant be permitted to retire and receive an annuity during that period.

That bill was introduced by the committee on teachers retirement fund and is a recognition of the depleted condition of that fund. This bill admits a large number of additional teachers to the fund in face of the acknowledgment as expressed in the statutes which I have approved that the fund is depleted and is on a wrong basis, and the more teachers that are added to it the smaller will be the sum that will be available to the annuitants because it increases the liability of the fund in a sum that is in excess of the receipts that are collected.

It seems to me that the two bills are not compatible and that

Bill No. 590, S., is in itself an answer to the proposition contained in this bill.

The reasons that I have above stated have prompted me to veto this bill.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, July 19, 1919.

To the Honorable, the Senate:

I return herewith Bill No. 570, S., without my approval.

This bill makes numerous changes in the administration of the teachers' retirement fund and in the last paragraph makes an appropriation of not exceeding eight thousand dollars from the monies appropriated to the common school fund income. This amount is asked to pay part of the cost of administration.

The present teachers' retirement fund is not upon a sound basis. The liabilities to the present annuitants amount to approximately $1,231,000, while the present assets or available funds amount to about $552,000, leaving a deficit of $679,000 on the basis of present annuities alone, to say nothing of the prospective annuities that are to mature when the teachers arrive at the specified age or on completing the required number of years for maturing their annuities. A rough estimate will place the total deficit at probably not less than three million dollars.

I am stating it mildly when I say that the situation is serious and some radical re-adjustment must be made in the near future and unless that be done it will be only a question of a short time when this fund, like so many other similar funds, will come to grief and will be wound up leaving hundreds or perhaps thousands of disappointed teachers and other beneficiaries.

The system of paying annuities based upon relatively short years of service has been tried out in other states and has proven a failure, and we should not permit ourselves to be deceived by the thought that the results will be any better in Wisconsin. No payments that teachers can afford to make, or that the public is willing to give, will enable teachers to retire in the prime of life, as they do under our present system. The rule under which the teachers' retirement fund is operated gives the teacher the privilege of retiring after twenty-five years of service. Let us assume that the teacher begins at the age of twenty, or even

younger as is so often the case; that would make the age of retirement at forty-five, or even younger, and at the time when the teacher is, by reason of experience, able to render his or her very best service.

Experience with this type of insurance has, I think, fully established this fact—a pension or retirement fund can be kept on a sound basis only when the beneficiary is retired because of inefficiency brought on by age or sickness or by a proper age limit. Any other system is destined to break down and in the end is a disappointment to those who expect to receive benfits from it. The experience of the state of New York, with a similar retirement fund and which now shows a deficit of over thirty-two million dollars, should convince us that we are on the wrong basis. The trouble is that the relation between the income and the outgo is not mathematically correct.

This subject has received some attention during the present session of the legislature. The task of putting this fund on a sound basis is a difficult one, particularly in view of the large number of annuitants that are now claimants for the benefits, and the number is rapidly increasing. The Legislature has appointed an interim committee to study this subject and a new plan must be brought forward during the next session. The rapidly growing deficit is unfair to the teachers—it is a deception.

Thus far the cost of administration has been borne by the fund. This bill provides for an appropriation of eight thousand dollars, chargeable to the common school fund income. In view of the fact that the entire system must be changed I do not deem it advisable to use any other fund for the payment of the cost of administration, nor do I approve of the new departure that this bill makes of charging any part of the cost of administration of this fund to the state.

The whole scheme should be made self-sustaining and if built on sound principles it will maintain itself without any hardship to the teachers. I feel certain that when this is done those who rely upon it for an income in their declining days will be glad to know that the fund is upon a sound financial basis and that there will be no question about receiving the full benefits that this plan of insurance holds out to them.

For the reasons stated I must withold my approval from this bill.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 19, 1919. *Governor.*

To the Honorable, the Senate:

I herewith return without my approval Bill No. 589, S.

The present law permits those having charge of public buildings to grant to soldiers of the Civil and Spanish-American Wars rooms and space therein for the establishment of memorial halls and museums, and provides that any agreement between those having charge of public buildings and soldiers of the Civil and Spanish-American Wars, in force at the time the act was passed, August 1, 1913, shall continue in force according to the terms thereof.

This bill permits those having charge of public buildings to grant rooms and space therein to any organization of soldiers, sailors and marines of the United States of any war for the establishment of memorial halls and museums, but strikes out the provision relative to agreements in force August 1, 1913. If the bill went no farther than this, I would give it my approval, and trust any organization of soldiers, sailors or marines of the last war to deal justly with the soldiers of the Civil or Spanish-American Wars regarding the use of rooms and space in such buildings, but the present bill goes farther and provides that those in charge of public buildings may grant rooms and space therein for any public purpose.

I do not believe that soldiers of any of the wars of the United States ought to be crowded out of any public building by any civic organization and this bill would permit that to be done.

If the bill had provided that soldiers should have preference over civic organizations in the use of space or rooms for memorial halls or museums in public buildings, I would have been content and given the bill my approval, but I cannot approve any bill which would permit those in charge of public buildings in which soldiers of the Civil and Spanish-American Wars now have vested rights to be deprived of those rights in favor of any civic organization.

There are but a comparatively few soldiers of the Civil War now left. Their right to occupy public buildings for memorial

halls and museums cannot, at best, last but a few more years, and it seems to me we owe it to them to protect their vested rights in the use of memorial halls and museums as against any civic organization and we owe a like right to the soldiers of the Spanish-American War.

For the foregoing reasons, I decline to give this bill my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 23, 1919. *Governor.*

To the Honorable, the Assembly:

I herewith return Bill No. 95, A., without my approval.

After its introduction this bill was so amended as to permit the use of dip nets in the night-time.

The present law prohibits the use of dip nets in the waters mentioned in this bill between one hour after sunset and sunrise of the following morning. The reason for this is that dip nets are used in these waters solely for taking, catching or killing rough fish and if fishermen were permitted to use dip nets in the night-time, it would be impossible for the Conservation Commission and its deputies to properly supervise the fishing so that rough fish only would be taken. By the payment of a small license fee of one dollar, provided for in this bill, it would be possible for the licensee, by fishing with dip nets in the night-time, to elude the vigilance of the Conservation Commission and its deputies and catch other than rough fish in the waters named and thus evade the purpose of the law which, as above stated, is the taking, catching or killing of rough fish only.

Because this bill permits fishing with dip nets in the night-time, I can not give the same my approval.

Respectfully submitted.

EMANUEL L. PHILIPP,

Governor.

Dated, July 23, 1919.

To the Honorable, the Assembly:

I herewith return without my approval Bill No. 257, A.

This bill makes an annual appropriation of not to exceed $175,000 for state aid for vocational training in free high schools or their equivalent.

There has been appropriated annually since 1913 $100,000 for this purpose as an encouragement for high schools to give vocational instruction. No good reason has been presented for increasing this appropriation. The Board of Public Affairs made an investigation and recommended that the former appropriation of $100,000 be continued. The Finance Committee recommended this bill for indefinite postponement, which would have restored the former appropriation of $100,000 per annum.

The Superintendent of Public Instruction has not been insistent upon this increased amount. He was questioned before the Committee on Finance and his reply, in substance, was that he did not insist upon the increased appropriation although he might prefer it.

The appropriations made by this session have been very large and I find it necessary to curtail wherever we can, and insomuch as no pressing need has been stated for this additional sum of money I cannot give this bill my approval and I, therefore, return it to you.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 23, 1919. *Governor.*

To the Honorable, the Senate:

I return herewith Bill No. 390, S., without my approval.

The purpose of this bill is to provide a plan under which public service corporations, which, under this bill, would mean water powers and power companies, electric light plants, water works, public heating plants, telephones, street cars, urban and interurban, may be purchased, built and operated by the public and provides for a method of payment for the property purchased, new construction, and cost of maintenance and operation by taxation and by the issuing and sale of bonds and mortgage certificates.

The plan provided is to create a public service district which will assume all the obligations that may grow out of these ventures and undertake, through a board of directors elected by the people of the district, to purchase, create, maintain and operate the properties that this board will take under its control.

The manner of creating the public service district is as follows:

Any twenty-five or more persons, who are qualified general electors and free holders residing within the territory proposed to be included in a public service district and users of utility or

electric railway service in said territory, may file in any circuit court having jurisdiction of the territory, or a substantial part of the territory proposed to be included in such public service district, a petition for the organization of a public service district in and of such territory and of the inhabitants thereof. Such petition shall allege and show:

That the organization of such proposed public service district will facilitate, promote and enable the public ownership, operation or control of public utilities and electric railways in such proposed district.

The application must be accompanied by a map showing the boundary lines of such district, which shall follow the boundary lines of existing election districts, the assessed value of all real and personal property located and owned within the district subject to taxation, the public utilities then in existence and being operated within such district, with the further provision that the proposed boundaries of such public service district shall embrace such territory and population as will have, with regard to the utilities and elective railways mentioned and the probable future development and extensions thereof, a common or reciprocal interest in the services and charges for services of such utilities and are so constituted that substantial equity may result as between localities or communities affected, to the end that the cost burden as well as any bonded indebtedness shall be fairly distributed among the users of such a utility.

The districts created are to be divided in not less than five nor more than fifteen compact territorial divisions, which divisions shall follow the boundaries of the existing election districts, and each district shall be entitled to elect one director on the board of directors of such proposed public service district.

The bill provides further that an equal number of citizens, or the railroad commission or any municipality in the district may present to the same court a counter petition denying the claims of the advocates for a district.

If the court grants the petition the next step is to vote upon the creation of the district, and if a majority of the voters favor it a charter will be issued to such district by the Secretary of State under the great seal of the state creating a municipal corporation.

The next step is the election of the necessary directors under a primary system.

When that is completed the district is in readiness to proceed with the business.

The above is merely a brief statement of the manner in which the districts are created and the boards of directors elected. I shall state as briefly as possible my objections to the various details of this bill.

The court has but little discretion in passing upon the petitions that are brought before it. It may disapprove the district lines or the subdivision submitted. Such action would, however, hardly be probable because the formation of the district permits a speculation upon the future development of certain parts of the district which neither the petitioners nor the court have any definite knowledge of—in fact, it may be said with much effect that upon the question of the development of municipalities the judgment of twenty-five petitioners may be better than the judgment of the court.

Aside from this power the court has no other function except to see to it that the forms provided by the bill are complied with.

No limitation has been placed upon the size of the districts except as a maximum there shall be fifteen subdivisions and as a minimum there shall not be less than five.

The only question that the people can pass upon is that of organizing a public service district.

The right to purchase any particular utility, the right to build extensions or additional lines or new plants, the power to tax and bond the district—in fact all powers required by the organization are vested in the board of directors.

If the petition submitted to the people fails at the election the same petitioners, or twenty-five other persons with the necessary qualifications, may immediately file another petition—in fact petitions and elections may be carried on indefinitely without cost to the petitioners. The bill provides that all costs in connection with the election, as well as court costs, must be paid by the state.

As stated before, the commissioners are vested with absolute power, which includes the power to tax the people and to create debts secured by bonds or other evidences of indebtedness. This is a departure from the general rule provided by the statutes governing this type of public expenditures. In view of the broad purchasing power given to this board I regard it as a dangerous privilege to give them the right to tax the people without limit

and to create debts which are limited only by the provisions of the constitution without a referendum to the people.

The bill contains this further objectionable feature: While it recognizes, as it must, the constitutional five per cent debt limit we must not lose sight of the fact that the districts created are now municipal units and although the municipality or the township which may be included within such districts may have a public debt up to or close to the five per cent limit, it cannot be said that such debt is the debt of the district—in fact, I consider this provision of the bill none else but a scheme to permit municipalities to pyramid their debts for the purpose of acquiring public utilities. The least that can be said of it is that it is a clever scheme to evade constitutional limitations.

The bill provides that the bonds of the district shall bear interest not to exceed four per cent per annum and shall be advertised for sale and sold to the highest responsible bidder, but no provision is made that they cannot be sold for less than par. It has been the policy of this state to forbid the sale of municipal bonds at less than par. It has thus far served as a protection against manipulation and the results have been generally satisfactory.

I deem it unwise to permit the sale of municipal bonds without a price limit because it opens the door to agreements between the buyers and the sellers, or, what is perhaps more apt to occur, a combination between the purchasers of these bonds that will operate as a loss to the people.

This bill also authorizes the issuance of mortgage certificates which are a lien upon the physical property of the utility but not an obligation upon the taxpayers of the district.

These mortgage certificates are made lawful investments for trust funds of the state or any municipality, insurance company, bank, trust company of any trust estate, and shall be accepted as deposits for any purpose for which the deposit of security may be required or authorized by law.

It should not require much argument to demonstrate that this provision of the bill is unwise. If in the end the utility, which is the only security back of these mortgage certificates, is neglected or abandoned all that there would be left for these mortgage certificate holders would be the scrap value of such a utility. I am sure that you will agree with me that that class of securities are

not the type that the law should permit to be used for the investment of trust funds. The state of Wisconsin has thus far been very cautious about the use of trust funds and the investment thereof and we should do nothing that will cause any departure from that policy.

The board of directors has the power to grant a permit to public utilities including electrical railways to use any public street or streets, alleys, ways and places in the district without the consent of the governing authorities of any town, village, or city included within the district.

This, in my judgment, is an unwise interference with the local government of municipalities. It is the policy of every city of importance to locate transportation upon such streets where it will do the least damage to the abutting property owners, and with a due regard for residential sections. Local governments are usually responsive to the will of the people in matters of this kind and regard themselves charged with the moral duty of controlling the streets with reference to beautifying the cities. No such obligation rests upon the directors provided for in this bill. They may arbitrarily place the street car where they wish and where it best serves their purposes. The least that can be said upon this subject is that local governmental authorities will not wish to give up the power that they have heretofore exercised over the location of street cars and other utilities to a new board less responsive to the wishes of the people.

There is another provision which I wish to call your attention to. After the district is organized the Railroad Commission is deprived of all power to grant certificates of convenience and necessity to any public utility or street railway. That power is vested exclusively in the board of directors of the public service district. We may reasonably expect that this board would be interested only in its own utilities and will hardly be expected to recognize any other public utility or the need thereof, even though such utility offers to enter the district and furnish the desired service without cost to the people so far as construction is concerned. They may grant themselves a certificate to parallel any existing line or duplicate any existing utility, but they would hardly be generous enough to grant a certificate to another utility to parallel their line or duplicate their utility.

What I have said concerning this proposed legislation can rea-

sonably be urged against it and I am certain that it is quite sufficient to condemn the bill. We may as well recognize the pressure that is being brought by owners of public utilities to dispose of them to the public. While I am personally opposed to public ownership of these utilities, and particularly street railways, that, however, is my personal view and I would not on that account wish to exercise my veto power on any bill that offers a fair plan to the people for the purchase of these utilities if they see fit to do so. However, so far as my power and privileges go in these matters, as governor of the state I shall insist that the people who assume these obligations shall be given the privilege of expressing themselves upon the advisability of the purchase of any particular property at the price at which it is offered and passed upon and approved by the Railroad Commission.

Three separate bills dealing with this same subject have already passed the Legislature and have had my approval. However, in each of these bills now upon the statute books the public interest has been carefully safeguarded.

I should not dismiss the subject to the purchase of public utilities without calling attention to the tendency in legislation to devise ways to circumvent our constitutional debt limit. I do not believe in the circumvention of constitutional guaranties. If the debt limit that is now provided is not satisfactory to the people the orderly way to proceed is to submit a constitutional amendment to raise it. If the people desire to ratify it they should then not complain about any debt or increased taxation placed upon them by reason of any transaction that may follow as a result of the change. Any other system is a deception and we as legislators for the people should not countenance it.

Respectfully submitted,

EMANUEL L. PHILIPP,

Dated, July 29, 1919. *Governor.*

To the Honorable, the Senate:

I herewith return without my approval bill No. 629, S.

This bill was introduced in the senate July 15 and passed on the same day that it was introduced and it was passed by the assembly the next day. It passed both houses without being referred to any committee and without a hearing.

The bill attempts to punish any insurance corporation doing business in this state and any officer, director or agent thereof who makes or circulates any false statement of any sort, misrepresenting the terms of any policy or the financial standing or management of any other insurance corporation and provides a heavy penalty and goes so far as to compel the Commissioner of Insurance to revoke the license of any corporation or agent upon proof of conviction for any violation of the act.

Any person or corporation in this state that has been subjected to loss of reputation or business because of any false statements made by any other person or corporation can have redress therefor in the courts of this state under existing statutes.

While it is desirable that statements by insurance companies concerning each other should be truthful and not deceptive to the public, this bill would in effect prevent any competing insurance company or any officer, director or agent thereof, domiciled in this state, from making any statements concerning any other insurance company for fear that some small detail in the statement might be incorrect.

Insurance companies and the officers, directors, and agents thereof, domiciled in other states, would not be affected by this law because they are not within the jurisdiction of our courts and, therefore, could not be convicted. As there must be a conviction before a license can be revoked, they could make any statement they pleased concerning any other insurance corporation, either domiciled in or doing business in this state.

If statutes of this type are necessary, they should be general and not apply to one particular kind of corporation only; the tradesman, professional man and, in fact, people generally, should have the benefit of such a law if one is to be enacted.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, July 24, 1919.

To the Honorable, the Assembly:

I herewith return, without my approval, bill No. 335, A.

This bill adds to the list of teachers eligible to the benefit of the Teachers' Insurance and Retirement Fund all those who were employed as teachers in public schools when the act creating the

original Teachers' Insurance and Retirement Fund was passed, provided they make application prior to September 1, 1920, and pay the assessments upon their salaries since September 1, 1912, with interest thereon at the rate of 4½ per cent per annum.

As stated in my vetoes of bills 570, S., and 105, S., the Teachers' Insurance and Retirement Fund is facing a rapidly increasing deficit, and I recommend in my veto to the bill last referred to that "the addition of teachers to this privilege be postponed until after readjustment is made that will give the assurance that the promises made under this plan can be carried out."

It seems to me that this bill is incompatible with bill 590, S., which reduces the payment of annuities under the Teachers' Retirement Fund fifteen per cent up to June 30, 1921, and makes the further provision that no annuitant be permitted to retire and receive his annuity during that period.

It is my judgment that no more teachers should be added to the eligibles until the whole subject has been carefully considered by the committee appointed by this legislature to investigate the condition of the fund and make its recommendations to the next legislature, which body will then be in a position to handle the whole subject intelligently.

For the foregoing reasons, as well as for the reasons given in my vetoes to bills 570, S., and 105, S., I decline to approve this bill.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, July 26, 1919.

To the Honorable, the Assembly:

I herewith return, without my approval, bill No. 450, A.

This bill amends subsection 5 of section 573f of the statutes. This subsection has twice before been amended by bills numbered 231, S., and 355, S., at the present session of the legislature, but this bill does not incorporate either of the amendments. This bill reached me on July 23 and I have held it until this time thinking that three-fifths of both houses of the legislature might be back before my time limit upon it expired, but such has not been the fact.

As the section of the statutes above referred to affects the revenues of the state, it would take three-fifths of the members

elect to satisfy the constitutional requirements as to a quorum.

Furthermore, this bill provides that if any dependent child is six years of age or older, he shall be a pupil either in an all day school or a part time day school before the mother, grandparents or persons having the care or custody of the child receive aid for such child.

No exception is made for the child who, on account of physical or mental defects, is unable to attend school. Undoubtedly, there are many such children whose mothers, grandparents or other persons having the care and custody thereof, ought to receive aid; in fact, they are probably the most deserving of any and I can not consent to deprive them of it.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated, July 29, 1919.

To the Honorable, the Assembly:

I return herewith Bill No. 614, A., without my approval.

This bill creates a body corporate with the right to hold property in the name of, and in trust for the state by purchase or otherwise, to sue and be sued, and to have any and all other rights and powers given by law to bodies corporate in so far as the same may be necessary and required for the purposes of carrying out the provisions of the bill.

Section 7 provides that the board, with the consent of the Governor, may purchase lands in quantities deemed necessary to carry out the purposes of the bill. The payment for such land shall be made from funds provided by the state and there is appropriated from the general fund to the board on July 1st, 1919, $500,000.00 and on July 1st, 1920, $500,000.00 to meet the obligations created by the board.

The board may, prior to the disposition of the land to settlers or at any time within five years after the same has been purchased under a settler's contract, prepare all or any part of such land for drainage and cultivation and lease the same. It may seed, plant and fence such lands, erect buildings or make other improvements including the providing of water supply to such an extent as in its judgment will fully carry out the purposes of the law.

The board may also make loans to settlers on the security of live stock and farm implements.

Payments for the land may be spread over a period not exceeding forty years and bear five per cent interest, computation as to payment being those used by the federal lands bank. All monies received by the board shall be paid within one week after receipt to the general fund and are appropriated therefrom and added to the million dollar appropriation provided in this bill.

Stated briefly this bill creates a board to which is appropriated one million dollars of the taxpayers money from the general fund of this state, which it may use as a revolving fund with which it may engage in the general land settlement business.

The bill is clearly in violation of several constitutional provisions. The constitutional limitations that I refer to provide as follows:

The state shall never contract any debt for works of internal improvement or be a party in carrying on such works.

The clearing of land and other improvements authorized by this bill cannot be construed otherwise than internal improvements.

The state is prohibited from contracting any debt except for the purpose of defraying extraordinary expenditures of the state, not exceeding in the aggregate one hundred thousand dollars, (which debt limit has already been exceeded).

You will observe that the board is authorized to make contracts which are in substance an obligation of the state, and therefore create a debt in violation of the above constitutional provision.

The bill also violates the constitutional provision which provides that the Legislature shall provide for an annual tax sufficient to defray the estimated expenses of the state for each year. The tax provided for by this bill is not expenses of the state within this constitutional prohibition.

These constitutional prohibitions have all been clearly stated in the case of State, ex rel Owen vs. Donald, 160, Wis. 21.

Some provisions of this bill border close to the humorous. In section 4 it makes this provision: "In order to aid and provide for the returned soldiers and sailors who have been honorably discharged and as a just and fitting reward in the manner of pay, bonus or reward for their services to the state and nation, and to provide reasonable opportunity for employment the board

may acquire agricultural lands suitable for colonization, and so forth."

The same section closes as follows: "It may also whenever a finding of public necessity shall be made as hereinafter provided sell and convey any land so purchased to others than honorably discharged soldiers, sailors and their dependents;" and it makes the still further provision that any citizen of the United States who is prepared to take possession of the land within six months from the date of the contract and who is not the owner of agricultural lands to the value of three hundred dollars may become such purchaser.

It is difficult indeed to see wherein the soldier is given any right under this bill that is not given to every other citizen of the United States. Surely nothing is given to him that is not offered to any other purchaser, in fact any person residing anywhere in the United States who does not own three hundred dollars worth of agricultural land is just as eligible to the privileges contained in this bill as is the soldier, even though the latter has rendered distinguished service to his country and may be wounded or disabled for life. Any multimillionaire, it matters not where he resides prior to the purchase of the land, may take advantage of the provisions of this bill to acquire property for a summer resort, if for no other purpose, and enjoy every right and privilege that is granted to the soldier.

It seems to me that the conclusion is unavoidable that the soldier was brought into this bill for the purpose of giving it a clear road through the Legislature. No special rights or privileges are granted to him at all. Surely he has the rights of a citizen, and no special mention of the soldier and sailor was necessary except for the purpose of making it appear that he will receive a special favor, which cannot be found in the bill.

For the reasons above stated I return this bill without my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,
Governor.

Dated, July 30, 1919.

MESSAGE OF THE GOVERNOR.

September 4, 1919.

To the Senate and Assembly:

During the closing days of the regular session you passed Bill No. 348, S., otherwise known as the "Nye Educational Bill," which provided for a bonus of thirty dollars per month for a maximum term of four years, to any person who was honorably discharged or released or on furlough from the military or naval service of the United States, who entered the service prior to October 1, 1918, and who wished to attend the Wisconsin University, any one of the state normal schools, Stout Institute, the Wisconsin mining school or any private college that maintained a Students' Army Training Corps during the year 1918, the compensation to be paid each month during the time that the student actually attends such school for the period stated.

The benefits of the bill were available only to such persons who possessed the necessary entrance requirements of the institutions named, excepting such as may be admitted as adult specials. The bill made no provision whatsoever for those who rendered service but did not have the necessary educational qualifications to give them admission to these institutions of learning.

I vetoed the bill because it denied a valuable privilege to a large number of men who had rendered service, but did not have the educational qualifications necessary to take advantage of it, and for the further reason that no provision was made for the increased instructional staff and other facilities that are required to meet the demands made upon the state educational institutions as the result of such a law.

I stated in my veto message that I would cause a questionnaire to be submitted to the men who had rendered service for the purpose of determining the number that wish to take advantage of this offer by the state; also for the purpose of ascertaining the number of such applicants who have the educational qualifications to enter the higher institutions of learning; also the number who, by reason of not being so qualified, wish to attend our public or vocational schools.

As stated in my veto message, I assume that you wish to enact legislation that will embody the principle of the Nye Bill of granting an educational privilege to the soldiers, sailors and marines who rendered service during the war and I have called you in

special session for the purpose of submitting to you the results of our investigation, which, I am sure, will guide you in framing a new bill which will more fully and in a more equitable manner cover the subject.

According to the latest information published by the Provost Marshal General's Office and by the United States Navy Department, approximately 118,000 soldiers, sailors, and marines entered the service from the state of Wisconsin. Owing to the fact that all Selective Service records have been shipped to Washington, by order of the government, it was not possible to ascertain the post-office address of all these men. The Adjutant General's office mailed 81,933 questionnaires to men of known address, and from the replies thus far received we have been able to make the following compilation:

Number who are qualified to enter the University and who have expressed a desire to do so	2,745
Number who are qualified to enter the normal schools and who have expressed a desire to so	306
Number who are qualified to enter Stout Institute and who have expressed a desire to do so	77
Number who are qualified to enter the Wisconsin mining school and who have expressed a desire to do so	52
Number who desire to enter private colleges of the state	770
Number who are not qualified to enter the higher institutions of learning but who nevertheless wish to attend some school	3,029

The replies are still being received and there is good reason to believe that not less than 10,000 will wish to take advantage of the educational privilege if the bonus provided in the Nye Bill is enacted into law.

I cannot in this message go into every detail that your new bill should provide. The State Board of Education has made an exhaustive study of the whole subject and will present its conclusions if you so desire. I will, however, state the general principles which I believe should govern in the framing of a bill:

1st. The legislation is designed as an expression of gratitude

on the part of the state to those who served the nation directly in a military way, and all such should be included within its provisions. I suggest, therefore, that the benefits go to all who were in the service on November 1, 1918, including the nurses who were in the military or naval service.

2nd. The educational opportunity must be available to all persons who were in the service at the time stated, without reference to their educational preparation.

3rd. The educational opportunity must be of such a character as to meet the widely varied needs of the persons for whom it is intended and given at such time and for such periods as will make the opportunity actually available.

The matter of providing the necessary facilities for so large a number of students presents many difficulties. At the university there is already a large registration and it is expected by the beginning of the fall term the number of students who will ask for admission in the usual manner will reach 6,000. This number is fully 1,000 more than was expected and provided for by the budget. The school has sufficient capacity to accommodate possibly 1,000 students over and above the regular applicants. The question of housing them, however, presents a more serious aspect. A canvass is being made by the university authorities for every available room in the city of Madison, and while it is not yet complete, the indications are that it may be impossible to quarter any large number in excess of the regular attendance.

The best that can be done under existing circumstances is to send to the university as many as we can find room for and to distribute the balance of the soldier applicants among the several normal schools and private colleges, and in order that this work may be systematically done, I recommend that you give the power of distribution to the State Board of Education.

Some provision must be made for those who are unable to attend the higher institutions of learning, and I recommend that the State Board of Education be given the power to arrange with the high schools of the state for special departments for the benefit of the soldier students where all grades will be taught.

I also recommend that you declare all private colleges eligible to receive these students whether they maintained a Students'

Army Training Corps or not. I feel this must be done in order to enable us to place all those who will make application under your bill if it becomes a law.

In order that you will understand what the privilege offered in the proposed bill will cost the taxpayers of this state, I submit the following estimates on the basis of 10,000 students:

Bonus per annun.....	$2,850,000
Appropriation necessary for additional instructional staff and other expenditures at the University, normal schools, Stout Institute and the Wisconsin mining school per annum.	500,000
Cost of special schools and high schools and vocational training	330,000
Making a total of (per year).....	$3,680,000

Assuming that the attendance will not be reduced during the four years that the law is operative, as provided in the Nye Bill, the total expenditures would be $14,720,000.

There are several offsets which may be taken into consideration. If the bonus bill which is being voted upon by the people becomes a law, and the same provision is made in your new bill that was in the Nye Bill, those who take advantage of the educational offer will not receive the bonus. That will save the state approximately $1,000,000, which may be deducted; also an appropriation of $50,000 for additional teachers at the normal schools, and $10,000 to the Stout Institute. Those appropriations were made during the last session contingent upon the necessity of employing an additional teachers' force. The same items are included in the estimates that I have here presented.

I recommend that the appropriations made to carry out the purposes of this bill be made to the State Board of Education, and that general supervision be given to that body to carry out the purposes of the law. You no doubt will appreciate that it will be impossible to cover every feature of this enterprise by statute. The law should be flexible in order to permit the State Board of Education to meet all the conditions that will arise under it. No doubt many situations will arise that cannot be

foreseen, and in so much as your bill, if enacted into law, is an expression of gratitude on the part of the people, the law should be so framed that no embarrassing situation will arise under it and that no worthy person will be denied the privileges that it is proposed to give to those people who have rendered service to the nation in the hour of peril.

I ask you to amend the following laws in accordance with bills which have been prepared and will be submitted to you:

Chapter 674, Laws of 1919, and otherwise known as the Blue Sky Law;

Chapter 542, Laws of 1919, relating to county tax for needy soldiers;

Chapter 660, Laws of 1919, relating to the appropriation for the State Superintendent of Schools. In this appropriation the Superintendent's salary was inadvertently omitted.

I also ask you to consider legislation validating bond issue of municipalities, villages and school districts, and to permit county boards to make appropriations for the collection, publication and distribution of war records.

GOVERNOR'S MESSAGE TO THE SPECIAL SESSION OF THE 1920 LEGISLATURE

May 25, 1920.

Gentlemen of the Senate and Assembly:

I have called you to meet in special session to enact such urgent legislation as I deem necessary to meet certain emergencies that have arisen as the result of the war, and which affect the cost of living and expenditures that are necessary to uphold our educational institutions.

I shall also submit to you the proposition of constructing a state hospital and the plans for its operation, which I deem in the interest of the masses of the people; the establishment of a complete course in medical education and such other legislation as seems urgent at this time.

RENTS

The situation in our cities, and suburbs, and particularly in the industrial cities, with reference to rents that are being demanded by landlords, has become so acute that some regulation by the state must be established to protect helpless tenants against unreasonable exactions.

I would not in normal times advise that the state interfere with the free operation of the law of supply and demand. However, under such conditions as now exist in our industrial cities, under which the shortage of living quarters has become so acute that it can no longer be said that the tenant has the option of paying the landlord's price or move to other quarters, the unfortunate man who has not a home of his own finds himself in the position of the man with his back to the wall, unable to move in any direction. If the landlord will not listen to his appeal for fair treatment, then in all fairness, to whom can he appeal for protection?

To say that he is the victim of a situation that cannot be changed except by natural laws is to say that Justice operates only through a slow process, and that government cannot care for its people in an emergency. Surely that would be a confession of weakness that the American people will not willingly subscribe to.

I have received many complaints about housing conditions from individuals who appealed to me for help. The daily press has printed many columns describing these conditions. However, to make sure that the conditions complained of are not overstated, I appointed a committee of five able men to make an investigation in the city of Milwaukee, which I believe to be the most congested city in our state, and report their findings to me.

The committee has filed its report. For brevity's sake I am permitted to use only a few deductions from it. Their report states in part:

"We find that a large number of owners or lessors of property have taken advantage of the situation created by the shortage of dwellings to increase rents beyond an amount necessary to make a fair or even liberal return on their investment. On the other hand, many other owners of property are to be commended for their reasonableness in fixing rents, in view of present conditions.

"The most pernicious evil, and the least justifiable, is the leasing of apartments by certain persons and re-leasing them at greatly increased prices. In most instances the rental paid to the landlord by such persons is sufficient to furnish the landlord a fair return on investment and the rents which are exacted by such persons are greatly in excess of that amount. In some instances the person performs a legitimate service to the community by leasing apartment buildings or a number of apartments in a building, furnishing them and re-leasing them. In other cases, however, where the apartments are not furnished, no service whatever is rendered to the community, and the person entering the field is an unnecessary and unjustifiable burden upon the occupants of rented premises; even in the case of the renting of apartments, furnishing them and re-renting, a serious wrong has been done to the tenants by reason of such person exacting rentals which are entirely out of proportion to his investment or risk. In at least one case the rental exacted is sufficient to make a net return of one hundred (100%) per cent upon the investment in furnishings and equipment.

"Our investigation further shows that rentals have been increased in the City of Milwaukee as much as one hundred (100%) per cent above the rentals received for the same property May 1, 1919. None of the landlords or real estate men who appeared

before the committee claimed to justify an increase of rentals in excess of twenty-five (25%) per cent above a fair rental in May, 1919, and no one appearing before the committee produced figures to justify even an increase of twenty-five (25%) per cent.

"Your committee further finds that rentals have been largely increased by persons selling property to others at large increases over the original cost of the property and re-renting to make a large income on the basis of the purchase price. In some instances your committee has found that no sale has actually been made and that the pretended sale was resorted to simply for the purpose of exacting rentals which the landlord had not the courage to demand. The result of this action has been that with the boosting of prices for property, rents have increased, and with the boosting of rents the prices at which property may be sold has been increased, and that there has been a continuous round of purchase, increased rentals and re-sales.

"Your committee further finds that, to a considerable extent, the situation is brought about by tenants out-bidding each other for premises. Those who are able to pay for the high priced dwellings have offered exorbitant rentals for such premises, making it necessary for the tenants of such premises to move, and such tenants have in turn offered exorbitant rentals for less desirable premises, making it necessary for tenants of such places to move, the result being that those least able to pay the rentals are without a place to live. In some instances this has made it necessary for families to be divided, the wife and children going to live with the wife's parents and the husband either renting a room or going to a hotel. In other instances it has compelled two or more families to occupy apartments which are designed and have room for only one family. Many persons are today facing eviction because of inability to meet increased rentals and who after long and diligent search are unable to find a place to live.

"Your committee regards the situation as one which affects so seriously the home conditions and well-being of the people of the city that it deems it necessary that some action be taken to prevent extortionate rents."

The utter helplessness of the tenant and the effect of what we may choose to call "an epidemic of high rents" upon the morals, health and general welfare of the people, as reported by the

press from time to time, has been fully sustained by the findings of this special committee. As I see it, briefly stated, the situation is this: Owing to an increased industrial population since the close of the war, and the fact that no new houses are being built on account of the increased cost of labor and material, there exists a great shortage of housing accommodations. This fact has encouraged some landlords and lease holders to increase their rents beyond all reason, and they are able to secure such increases because the people are unable to find other quarters.

The housing question is a situation that has been brought upon us as a result of the war, and should be considered as an emergency that must be met as we have met other war problems —by emergency legislation. There can be no doubt that the legislature has a right to do this under the welfare and police powers of the state.

There should be neither thought nor desire to injure those who have dealt fairly with their tenants, either through patriotic or other motives—in fact, they deserve our unstinted praise. However, those who have taken advantage of the situation either directly or by skilful device, have compelled the state to resort to efficient regulation. It is an inefficient government indeed that will permit avarice to pick the people's pockets or permit honest people to be set upon the streets by the unreasonable exactions of soulless property owners or their equally soulless agents.

The conditions that exist in the City of Milwaukee and its suburbs exists in other cities of the state; however, not so extensively, but in order to furnish them a remedy also I have included them in this call.

Briefly stated, the thing to be accomplished is to establish an emergency regulation by law that will insure just and reasonable rents. This should be construed to mean a fair return to the landlord for the use of his property and the services rendered. A rent based upon that principle will be fair and just to the tenant.

The business of lease brokers, or middlemen, should be regulated so that the rates established by the commission shall be the maximum amount that can be collected either by the owner, his agent, or sublessor.

The provisions which will protect the tenant against unrea-

sonable evictions and the other details provided are all set forth in bills which will be presented to you.

The bill places the administration of the law with the Railroad Commission. Full authority is given to that body to fix the valuations upon which rates of rent may be established. The Commission is directed by the proposed bill to base its rates of rent upon the principle of fairness and justice to both landlord and tenant, and it differs from rent regulatory laws attempted elsewhere in this vital principle, it does not attempt to arbitrarily establish a maximum rate regardless of costs, service and other conditions; nor does it compel the tenant who may be aggrieved to seek relief in the courts. If the landlord will exercise his privilege to appeal to the courts, the state assumes the burden of the litigation and will go to court in an attempt to sustain its findings.

There is nothing in the proposed bill that should be construed as an attempt at discouraging building. It might with equal force be claimed that the state utility law has discouraged the construction of new utilities—a statement that could not be substantiated. It is calculated merely to protect tenants against unreasonable rentals during the present emergency, and, unless amended or changed, the bill if enacted into law will terminate on April 30, 1923.

The argument is frequently used that the remedy for the high rent evil is to build more houses. I agree with that statement and such a move must ultimately be undertaken. We may as well recognize the fact that industry will not succeed without sufficient labor, and labor cannot make itself available for industry without proper housing facilities.

We may reasonably expect that when the cost of building is reduced to a point where normal rents will pay a fair return on capital invested, large building operations will be undertaken. However, little is being done now, and the relief that we may expect from that source is all in the future, perhaps in the far off future. We can only guess when the time will come when we will realize this hope.

It is the present emergncy that I am asking you to deal with. The remedy that the people are asking for now lies in your hands and I feel confident that you will not disregard their appeals.

HOSPITAL AND MEDICAL SCHOOL

The original statute which established a medical school at the university provided that the school "shall consist of courses of instruction customarily covered in the first two years of a medical curriculum."

The session of 1919 changed the statute to read "The medical school shall consist of courses of instruction in the medical sciences customarily given in medical schools, and may include such additional branches as the regents may determine."

This amendment gave authority to the regents to establish a four year or full medical course. No appropriation was made for it and the school continued its two year course, believing that it would find no difficulty in placing two year students in representative colleges of the country where they might finish their medical education.

It is a well-known fact that since the close of the war there has been a great increase in the demand for college education, which has affected all branches taught, including medical education as well as other specialties. I am advised by the university management that this year we have about one hundred sophomore and one hundred fifty freshmen premedical students, and that other schools have the same high percentage of attendance, and that it is very doubtful whether we shall be able to place any large number in desirable colleges to finish their education —in fact it looks as if it would be impossible to do so in the future.

Briefly stated, the medical school at the university is called upon to decide upon one of the three following alternatives:

1st. To restrict the number of students admitted to the medical school each year to very small numbers and to make it clear to these students that there is no certainty of their being able to place all of them in good schools to finish their education.

2nd. To abandon medical instruction at the University of Wisconsin.

3rd. To take immediate steps to establish a complete medical course.

Our university cannot well afford to reject applicants for this course; nor is it right and fair to the students that we should accept any of them unless we feel certain that we can find places for them in good colleges where they can complete their medical

education. Nor is it in the interest of the people of the state that the university discontinue medical training. I shall not believe that it is their wish that the institution do this.

There is, therefore, only one alternative left, and that is to establish a full four year medical course by making the necessary appropriation for it.

It is, of course, not possible to give complete medical and surgical instruction without having access to a hospital, built for the purpose of instruction where large clinics may be held.

It has been urged against the project of establishing a complete medical course at the university that the city of Madison is too small, and that there is not sufficient population available that would furnish the material for clinical purposes. It has been contended, and no doubt it will be contended again, that successful medical schools can be carried on only in large cities where sufficient material can be secured for instructional purposes.

I believe that the state is in position to supply the necessary clinical material for the school with great profit to the people. Under an act passed at the last session of the Legislature, we established a county nurse service. By the first of July, 1921, if the law is complied with and we have every reason to believe that it will be, every county in the state will have a public nurse in its service. Among the duties assigned to this nurse is that of visiting public schools, to examine the children and make a report of their condition. The service is centered in the office of the State Board of Health and we now have sufficient information to convince us that a large number of children, particularly in the country schools, are suffering from physical defects that should receive expert surgical and medical attention. We find many with defective eyes, hearing, tonsils, teeth, curvature of the spine, defects of the feet and legs, and other bodily ailments that in many cases can be completely cured, and in others materially helped by expert physicians.

There is a tendency, and particularly in the country districts to postpone, in many cases indefinitely, the medical care and attention that a child in that condition requires.

I believe it to be the plain duty of the state to look after the welfare of that type of unfortunates. It should be done because it is a humane duty to do it. From an economic standpoint it

should be the duty of the state to guard against an increased number of dependents.

Some central hospital should be established where these children may receive expert surgical and medical attention, and I see in this an opportunity to establish such a hospital in connection with the university.

The medical school, if it gives a four year course, will endeavor to employ high grade medical talent and their services can be made available for these unfortunate children and can be given without cost to the people who can be brought to this hospital.

The state should erect a hospital of approximately three hundred beds, where these unfortunates may be brought for medical care. Those whose parents can afford to pay the cost of maintenance during their stay in the hospital should, of course, be made to do so, but the children of poor parents should be given the same privileges, the cost of maintenance being paid by the state and the counties from which they came.

The state institutions will be able to furnish much material, particularly the School for Dependent Children at Sparta.

The hospital should also have a psychopathic department, where people who border on insanity may be brought for treatment.

The state has been very successful in the treatment of returned soldiers who were shell shocked or became insane for other reasons at its asylum at Mendota. It is, however, recognized that this type of patients should not be brought in contact with the chronic insane—in fact, the surroundings at Mendota are not favorable for their treatment. The physicians in charge succeeded, however, in spite of this fact.

There is no sanitarium in Wisconsin available for people of limited means who happen to be in this condition. Private sanitariums can be used only by the well-to-do because of the high prices which they must charge, and it seems that the state should make provision for the care of those of small means.

There is still another service that would be of value to the people of the state that can be established in connection with this proposed hospital. It is a recognized fact that everywhere we are very short of nurses and the price of nurse service is prohibitive for people of moderate means. While the hospitals are rendering good service by maintaining schools for the training

of nurses, the output is not sufficient. Furthermore, the demand for public nurses is growing everywhere and we should train people to meet it.

This proposed hospital, being associated with the university, should maintain a high grade nurse training school in connection with it and would secure very desirable students from the university.

The argument that the hospital will not attract enough emergency cases for clinical purposes must fall if we are willing to admit that expert medical service will attract the people, it matters not where the clinic is located.

Space will not permit that I discuss this matter any further than to say that the universities of Michigan, Iowa and Minnesota each give a complete medical course, and that the public service that I have spoken of is given by the universities of Michigan and Iowa and that it is highly appreciated by the people.

The bill which will be submitted to you contains substantially the provisions of the laws of other states that have worked out this problem by experience and I am confident that the people of Wisconsin will welcome this public service by the university of which we are so justly proud.

I cannot pass this subject without reminding you and the people that it is in our interest to improve medical education. Good health is, after all, the best asset that any person can have, and we should not neglect it. We have been very generous in our appropriations in the aid of our animal industry, which is right and proper from every point of view. We must, however, settle it in our own minds whether we have been as thoughtful of the health of our people as we should be.

The high cost of living and the attractive salaries offered by commercial institutions have created a demand by teachers for increased salaries in our entire educational system. It has been generally reported that many high grade teachers have either left the teaching profession to take up other lines of work that are more profitable, or have gone to schools in other states that are paying more attractive salaries.

I think it is only fair to say of the teachers' profession that a vast majority of those who are now engaged in it are glad to remain in it because of their love for the work. However, we cannot expect to hold them in our schools if the salaries paid

are not adequate to meet their requirements under present conditions, or if the salaries offered in other states are more attractive, or if offers in the commercial field are sufficiently large to enable them to live more comfortably and the future holds out brighter prospects for them.

This state cannot afford to reduce the standard of its schools. That would have an effect so far-reaching that we would bring upon ourselves the curses of the generation of young people who are now attending them. Nor would it be morally right, or economically sound, and I am sure it would be very unjust to the people who have fitted themselves for the teachers' profession to force them out of it by pursuing a parsimonious policy in dealing with our educational system.

In the country, as in the city, there is a growing demand for better education—in fact, there has been no time since the organization of the state when there was so great a demand for it, a situation which the state should look upon with great favor.

Because of the complaint that teachers' wages are not sufficient to meet present living conditions and the further fact that there is a general feeling in the profession that it has not been fairly dealt with in the matter of salaries, as compared with the compensation paid to people in other walks of life, I felt it necessary that I call your attention to all of our schools and open the door to you to the entire question, in order to enable you to make the necessary salary adjustments.

This matter is urgent because we are now approaching the period when contracts will be made with teachers for the schools that will begin their sessions this fall. Furthermore, justice in this matter should not be delayed because their necessities are pressing and whatever is done should be done now in order that the teachers may remain happy in their profession and that we shall not be confronted by a shortage when the schools open this fall; nor should we wish to lose our experienced teachers and take in exchange the young and inexperienced.

The university finds itself sorely pressed for funds. In order to hold the present professors and instructors it became necessary to make a substantial advance in their salaries at the beginning of the second semester of this year. This had to be done in order to meet the advances made by the universities of Minnesota, Michigan and Illinois, which belong to the class that our

institution is in. Surely we could not blame these men if they accepted offers from other and similar institutions of learning that paid better salaries. I think that rule holds good everywhere among men and women who must rely upon their earnings for their support. The state could not afford to break down the high standard that has been established at the University through the many years of its existence by refusing to satisfy its present faculty and employ cheaper and less efficient men, and in that way reduce the rank of the institution to a mere college.

Another very potent reason for the increased expenses at the university is the increase in attendance. The last session of the Legislature financed the institution for a possible attendance of five thousand students. I say this not in criticism, because the great increase could not be foreseen. However, instead of five thousand students there are now seven thousand in attendance, and it stands to reason that the institution could not meet the additional demands made upon it without a corresponding increase in income, even though an increase in salaries had not been necessary.

An extraordinary demand has grown up since the war for a college education. Its value is better understood than before—in fact, there is an indication that this demand is going to continue to grow and that we may look for even larger registrations each succeeding year.

In considering salaries for public service we must not lose sight of the fact that in comparing salaries or whatever advance we may make, with the salaries paid in former years, every person is confronted by this fact, the purchasing power of the dollar is only about fifty cents as compared with the purchasing power of the dollar six years ago. Therefore, an increase of one hundred per cent in salaries does not enable the recipient to purchase any more than he did with the salary that was paid at the time that I have referred to.

Briefly stated, this is the situation: Because of increased attendance and the increased value of teachers' talents, and the depreciated value of the dollar, the state is compelled to make a substantial increase in the university's income to meet its requirements.

The relief that is given must be given now in order to make

it available for the second half of the present biennium and the first half of the next biennium, because an increased appropriation made by the coming regular session cannot be placed upon the tax roll until December, 1921.

The present university income of three-eighths of a mill was established in 1911. At that time the institution had an attendance of 4,098 students, as compared with 7,000 at the present time. The tax does not now yield enough to meet the expenditures and I ask you to increase the rate to five-eighths of a mill.

Based on the 1919 valuation the five-eighths mill would produce $2,542,000, as compared with $1,525,000 under the three-eighths rate, or an increase of approximately $1,000,000. The total increased income should be appropriated as follows:

For operation	$998,529
Maintenance	43,610
Capital (books and apparatus)	25,000
University extension operation	18,890

These amounts will all be derived from the proposed increase in mill tax and increased revenues of the university.

There should be appropriated from the general fund and made available immediately $90,700 for an addition to the chemistry building. The present building that is being used for that purpose is inadequate, is very much over-crowded—in fact, to a point where it may be said to be dangerous. The additions should be built this summer.

If the hospital building is authorized, there should be appropriated $750,000 for the hospital building, including the dispensary and clinic; $300,000 for a nurses' home and $450,000 for equipment, furniture and furnishings. These appropriations, however, to be spread over a three year period. No appropriation to be made for the medical extension at this time.

Whatever statements I have made concerning the financial condition of the university apply to the other state schools as well and I recommend that you advance the mill tax for the benefit of the normal schools from one-sixth to one-third of a mill. The present rate of one-sixth of a mill yields $678,044 on present valuations. One-third of one mill would yield $1,356,089.

This increase will care for the requirements of the nine normal schools. At present it is necessary to make an appropriation

from the general fund each year for the support of the normal schools, and if the mill tax is raised to the basis that I have suggested the amount raised would be sufficient and will relieve the general fund of this burden.

The additional requirement of the normal schools is $186,000. This amount, however, will be derived from the increased mill tax if the rate that I have suggested is adopted.

The additional requirements of Stout Institute, the library school and the Wisconsin mining school will be presented to you in bills that have been prepared.

The salaries of school teachers are fixed by the respective school boards, except insofar as a minimum salary is fixed by law. If in your opinion the present minimum teachers' salaries are inadequate, I would ask you to enact legislation increasing such minimum, and at the same time empower the towns, cities and villages to raise the necessary funds therefor by increasing the present tax rate.

The legislative session of 1917 passed a statute which created the offiice of county supervising teachers. The wisdom of this law has been sustained by the results that have been obtained, and I daresay that it has met with general public approval.

The duties require good talent and a type of teachers should be employed for this service who have had a wide experience and are able to direct the work of younger or less efficient teachers. The maximum salary established by the statute is found to be insufficient, and I will ask you to make such advances as in your judgment will make the service a success.

The question of advancing the salaries of county superintendents has been before several sessions of the legislature, and their demands have so far been refused. If we wish that the office of county superintendent be efficient, as it should be, the salaries paid must be commensurate with the duties. The schedule now runs from $1,200 in counties having 100 or less teachers to $1,600 in counties employing 175 or more teachers.

A county superintendent to be effective must be a competent educator, and the people can hardly expect to attract good talent to this service unless the salaries are made more attractive, and I will ask you to again consider the request of the county superintendents and give the matter such careful consideration as the interests of the schools demand.

The system of vocational education that has been established in this state is popular and in fact most useful, because it gives an opportunity to those who become bread-winners early in their lives to piece out their education or to learn a trade which equips them for factories and other occupations that are remunerative. The demand for this type of schools is growing constantly and should receive our careful consideration.

The amount of money available now is not sufficient to maintain these schools at the proper standard, and I submit to you a bill which authorizes cities to increase their mill tax for this particular purpose.

The present indications are that there will be a surplus of approximately $1,000,000 in the fund raised for the purpose of paying a cash bonus to the soldiers. The amount cannot be definitely stated until all the settlements have been made, which will probably be about September 1st.

I ask you to pass a statute that will permit the transfer of this surplus, which will be certified by the Service Recognition Board, to the general fund and provide further that this sum of money shall be made available for the payment of the Soldiers' Educational Bonus. The indications are that there will be a surplus in that fund, and the two combined should enable the Legislature to discontinue the collection of taxes for this purpose at an earlier date than is now provided by law.

Bills will be presented to you to cover the other items in the call. The bills speak for themselves and require no discussion in this message.

In conclusion I wish to state for the benefit of the members who may feel that the demands of our educational institutions are large, that we are confronted by a situation that admits no compromise. We must either produce the money that will enable our educational institutions to carry on their work on a high standard, or accept the other alternative of reducing their efficiency, which is a responsibility that I would not wish to accept, and I feel certain that you would not wish to do so yourself.

So far as state government is concerned, we have been able to live within our income, and the indications are that we can continue to do so—no tax levy having been raised for general purposes during my administration.

Bills covering the subjects that are within my call are printed and will be placed upon your desks. I hope that this will aid you in your deliberations and shorten the session, as it is no doubt your desire to return to your homes as soon as possible.

EXECUTIVE COMMUNICATIONS

To the Honorable, the Senate:

I return herewith bill No. 2, S., without my approval.

In my call for a special session I asked for amendments to sections 20.36 and 20.39 of the statutes, increasing the mill tax for the support of the normal schools and the university.

In my message to you I explained at length the requirements of these institutions caused by the large increased attendance, the necessity for additional instructional force, the public advantage in establishing a four year medical course and the construction of a hospital in connection therewith, and the advance in salaries that are demanded by the teachers in these institutions.

This bill instead of following the recommendations that I made to you for an increased mill tax, proposes to raise the sum required, which is approximately $1,600,000 for the year 1921, by levying a surtax upon the income taxpayers of the state.

This bill proposes to establish a new policy in taxation in the state of Wisconsin by placing a special tax upon the income taxpayers for a specific purpose. Former Legislatures proceeded upon the theory that incomes were assessable only for general purposes and that the money raised by the state from that source must go into the general fund to meet the general expenditures. Seventy per cent of the amount so collected reverted to the political units where the citizens live who pay it.

The soldier bonus bills passed by your Honorable Body at the last regular session was the first attempt to tax income payers for specific purposes, and although the Supreme Court found language in the constitutional amendment on income taxes which sustained the acts, it should not follow that the large sum of money that was given by the income taxpayers for patriotic reasons should be used as a precedent to permanently fasten an unfair system of taxation upon any class of people in the state.

If the principle laid down in this bill is going to be the established policy of the state, then it will be entirely competent for the Legislature to levy a special assessment upon the income tax-

payers of the state for any specific purpose—in fact, there will grow up a tendency to place the entire burden of taxation upon a comparatively small number of people, which will, of course, mean the owners of industries and the business people in general. Briefly stated, it will result in unrestrained taxation of a small minority by a large majority, which will lead to extravagance and general wastefulness in the government. I do not object to an income tax for general purposes which is fairly distributed.

The field for income taxes has been quite thoroughly exploited by the general government—in fact, it has been the only source from which it has been able to gather the larger portion of its necessary funds. The limit has probably not been reached. It is currently reported that the general government is short of many millions of revenue to meet its current expenditures. According to the statements of the Secretary of the Treasury the avenues for taxation have about been exhausted and the government will probably be compelled to go over the old fields where the tax burden has already fallen heavily for its additional revenues. Even if the system of increased state income taxes were correct in principle, it would seem that we should surrender that field to the general government because when it is exhausted the government will find it is compelled to assess a direct or per capita tax against the states.

In considering the subject of state income taxes we should bear in mind that but few states in the Union are now using that system for the purpose of raising revenues. We are bidding, as we should, for new industries. Every new factory established in the states gives employment to people who become the consumers of our agricultural products and the factory and its employees become taxpayers and relieve us of part of the burdens of government. I am sure that no one would have the courage to say that we should not make every possible effort to bring new industries to the state, and yet if we are going to load them down with unreasonable tax burdens can we expect them to come, or will we be able to hold those which are here and able to get away if we show this unfriendly spirit towards them?

In order that the income taxpayer's situation be understood, I will use two illustrations: Under existing statutes, both federal and state, and with the additions proposed in this bill, the taxpayer who has a taxable income of $50,000 would pay a total

tax to the state and federal government of $18,446. A person with a taxable income of $10,000 would pay the state and federal government an income tax of $1,483.50.

By far the largest per cent of this class of incomes are made from property that has already paid the general tax. The individual begins to pay a surtax on an income of $4,000.

While this bill is limited to one year, it establishes a principle which I believe to be wrong, and the vote in the Senate indicates that many senators share this view with me. The following senators voted against its passage: Senators Benfey, Bird, Buck, Burke, Cunningham, Jennings, Kuckuk, Mulberger, Nye, Peterson, Stevens, Wilkinson and Witter, total 13. The senators voting for the bill were Senators Anderson, Arnold, Beyer, Bilgrien, Conant, Fons, Huber, Kleist, Olson, Roethe, Severson, Skogmo, Staudenmayer and Wilcox.

The argument has been made that the income tax assessed against manufacturers and business people in general is added to the price of the commodity which they produce or sell and that after all the general public pays the bill. If that statement be true, then indeed we are making a poor start towards reducing the cost of living—in fact, we should pursue a wiser course to meet this public necessity.

The income tax is an unsatisfactory source of revenue for educational institutions because of the uncertainty of the amount that can be collected from year to year under such a statute. Our schools must know definitely how much money they will receive from the public treasury each year with which to maintain themselves. It is necessary that they know this in advance because they cannot establish a definite program unless they know how much money they are going to have with which to carry it out.

The indications are that the incomes for 1919 have been substantially reduced as against 1918, and the incomes of 1920 may present a still greater shrinkage. The demands by the United States government must be met first and the amount paid to the government can be deducted from the amount upon which the state can collect its incomes. It will readily be seen then that under declining business and a growing demand by the government for increased revenues, the amount of money that can possibly be collected by the state from incomes is very uncertain

and if the system of taxation provided for in this bill is adopted the revenues that can be raised under it had better go into the general fund for general purposes rather than to attempt to maintain our educational institutions.

There is still another and vital objection. Our educational institutions have been created and are maintained for the benefit of all the people. We believe them to be democratic, and we wish them to remain so. If the university and the normal schools must look to a small number of business men and manufacturers for their revenues, they will ultimately be dominated by that class of people, a situation that none of us should desire.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated June 3, 1920.

To the Honorable, the Senate:

I return herewith Bill No. 20, S., without my approval.

This bill provides that the state shall contribute six thousand dollars to any county as its proportion for the erection of a county training school building. The statute now provides that the sum to be contributed by the state shall be three thousand dollars.

If enacted into law this bill would change the policy heretofore followed. No demand has been made by any county in the state for this increase.

The amendment to the bill was hastily prepared and I understand was not properly presented to the finance committee—in fact, I am now requested by members of that committee to veto it on that account.

There seems to be no pressing need for this legislation and I feel that action should be postponed until the next regular session in order to give the members an opportunity to study the bill and ascertain the wishes of the people.

I feel that I should not approve hasty or ill considered legislation and, therefore, deem it my duty to return this bill to you without my approval.

Respectfully submitted,

EMANUEL L. PHILIPP,

Governor.

Dated. June 4, 1920.

II

PROCLAMATIONS

1915-1921

PROCLAMATIONS 1915 TO 1921

Hoof and Mouth Disease

WHEREAS, I have been informed by the State Veterinarian that the dangerous, infectious disease, known as foot-and-mouth disease, exists in several districts in the United States, and that great danger still exists as to the further introduction of such disease into the State of Wisconsin.

THEREFORE, I, Emanuel L. Philipp, Governor of Wisconsin, declare the following quarantine regulations to be in force after the publication of this quarantine proclamation and it shall be in force until modified by order of the State Veterinarian.

Ruminants and Swine.

No cattle, sheep, goats, other ruminants or swine shall be shipped, trailed, driven or transported into the State of Wisconsin, from any state or territory where such shipments originate from or pass through an infected state or area except such animals are consigned to Milwaukee or Cudahy yards for immediate slaughter.

Horses.

Horses which shall have been in or are in the Union Stock Yards, Chicago, shall not be transported or driven into the state of Wisconsin.

Immigrant Movables.

Immigrant movables containing wagons and farm implements, bags, blankets, hay, straw, litter, horses or dogs, originating in a quarantined area shall be disinfected and so certified to by a state or federal inspector. Immigrant cars containing ruminants or swine from Iowa or Kansas, accepted *only* from *free* counties and owner shall certify that such stock has been in his possession since January 1st, 1915.

Cars Used for the Transportation of Live Stock.

All cars used for the transportation into the state of Wisconsin, or from one point within the state to another of stock other than for immediate slaughter shall have been cleaned and disinfected since last used for the transportation of stock.

CONTAINERS FOR FEED OR GRAIN.

Feed or grain shipped into the State of Wisconsin which is contained in sacks shall have certification that such sacks are either new or disinfected. Corn shelled or on cob, grain and feed shipped in bulk shall be loaded only in cars which have been cleaned and disinfected since being used for the transportation of stock.

COUNTIES AND TOWNS IN QUARANTINE

The counties of Dodge, LaFayette, Green, and the townships of Erin, Hartford, and Addison in Washington County and Hazel Green and Jameson in Grant County, the counties of Dane, Rock, Walworth, Racine, Jefferson, Waukesha, Brown, Lincoln and Langlade, are and shall be in such quarantine as may be advised by the United States Bureau of Animal Industry and shall conform to such regulations as may be placed by the State Veterinarian with regard to the movement or restriction of movement of ruminants and swine or other animals, hay, straw or litter, or any other products, which may be the means of carrying the disease.

IN WITNESS WHEREOF, I hereunto set my hand and cause the great seal of this state to be hereunto affixed this 26th day of March, 1915.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

J. S. DONALD,
Secretary of State.

Arbor and Bird Day

The people of Wisconsin have ordained and set aside each year a day to be observed in teaching children the use and beauty of birds, and trees, and of cultivating in them, at the time of the return of the birds and the general revival of nature, an appreciation of the benefits to be derived by protecting and conserving these forms of life.

Therefore, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby designate Friday the Seventh day of May, 1915, as

ARBOR AND BIRD DAY

and I earnestly recommend that it be appropriately observed in all schools, public and private. It is the object of this holiday to turn the attention of the growing generation to those useful forms of life that are too easily destroyed, and by imparting an insight of their beauties and a deeper knowledge of their useful purposes, to create a spirit of protection and conservation in place of a spirit of destruction.

Teachers in all grades of schools are urged to prepare lessons and plan exercises such as will impress upon the minds of children the functions performed by birds and trees and teach them to take pleasure in cooperating with the benign purposes of nature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this eighth day of March, in the year of our Lord, one thousand nine hundred and fifteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
J. S. DONALD,
Secretary of State.

Memorial Day

Four anniversary years, rich in reminiscence of a great war and crowded with the dates of memorable battles are drawing to a close. During the semi-centennial of the years 1861 to 1865, momentous events have been following each other in procession through the memory and there has scarcely been a day that has not reminded us that it was the anniversary of a battle. Vividly it has brought back to us the magnitude of that struggle and the heroic patience and sacrifice through which our national destiny was at last wrought out. And it has given us a renewed conception of the deep and enduring foundations upon which the Union has been built.

The present year commemorates the scene at Appomattox and the beginning of a stronger union among our people. We

who now enjoy this heritage of peace and the blessings of a free and united country will therefore wish to give full observance to Memorial Day and by fitting ceremonials and tokens of flowers express our gratitude to the soldiers and sailors of the Republic.

The State of Wisconsin, whose soldiers have done their part on many battle fields, has instituted Memorial Day a legal holiday, and has made it one of those few holidays whose date is set by statute and which is therefore independent of executive proclamation. But though it is thus independent of proclamation, I have thought fit in order to give the day as full observance as possible, to proclaim it to the people. Therefore, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby designate and proclaim, the thirty-first of May, as

MEMORIAL DAY

and recommend its observance by the citizens of Wisconsin. Let it be a day of historic retrospect, of grateful remembrance of the nation's dead, and of profound reflection upon the blessings of the government whose principles they cherished and maintained. The people will join with patriotic societies in public exercises and the placing of flowers upon the graves of our soldiers. Of the Grand Army of the Republic but a scattering remnant remains. Let the aged veteran feel, as he leads the way to the last camping place of so many comrades, that he is the honored survivor of a war that is hallowed in history.

The people, following their usual custom, will also decorate on this day the graves of their departed relatives and friends.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this tenth day of September, in the year of our Lord, one thousand nine hundred and fifteen.

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
J. S. DONALD,
Secretary of State.

Labor Day

For the purpose of expressing a fitting appreciation of labor and the service it has rendered in the development of our country, the American people generally have set aside a day on which the wheels of industry are stopped in order that all may have an opportunity to pay their respects to that large element of our population which contributes so much to our well-being.

While the plans for the development of great public and private enterprises, for the construction of buildings and the work of the factory and shop are produced by an element of men why do not, strictly speaking, belong to the laboring classes, it yet remains for the laborer to carry out the plans designed by the men of technical training; and it matters not what we construct, the laborer is in the end the real builder. To them, then, more than to any other element of society, are we indebted for what we have accomplished, and, in order that we may express our gratitude for labor's achievements, the law of the state sets aside a day to be observed as a general holiday.

THEREFORE, I, Emanuel L. Philipp, Governor of Wisconsin, do designate Monday, September 6, 1915,

LABOR DAY

and request that citizens of the state observe the day in a manner that will give expression to the respect in which labor is held and show due regard for those who toil. Let us make manifest our appreciation of those whose industry has helped build up our state.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this second day of September, A. D. 1915.

Seal.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
L. B. Nagler,
Assistant Secretary of State.

A Warning

WHEREAS, it has been ascertained that foot and mouth disease again exists, particularly in the state of Illinois and that there is danger of further infection and spread of the disease from the transportation of live stock and from the use of serums which are manufactured in that state for the prevention of hog cholera,

THEREFORE, I, Emanuel L. Philipp, do hereby order the following regulations and declare same to be in full force until their repeal is recommended by the Department of Agriculture of the State of Wisconsin.

(1) It is hereby ordered that all cattle, sheep or swine shipped into the State of Wisconsin for any other purpose than immediate slaughter from any state or territory shall be consigned only in cars which have been disinfected since previously used for the transportation of stock.

(2) All horses shipped into the state of Wisconsin shall be loaded only in cars which have been disinfected since being last used for the shipment of live stock.

(3) Any cattle, sheep, or swine to be transported wholly within the state of Wisconsin for any other purpose than immediate slaughter shall be transported only in cars which have been cleaned and disinfected, since previously used for the transportation of stock.

(4) Horses from any closed area intended for shipment into the state of Wisconsin must have their feet, tails, mains, and their halters, blankets and other paraphernalia accompanying same thoroughly disinfected and this must be certified to by state or federal authorities.

(5) No cattle, sheep, other ruminants or swine shall be shipped into the state of Wisconsin except from federal "Free Area" unless stock is consigned to slaughtering plants under federal supervision and inspection.

(6) No hog cholera serum or virus manufactured in the state of Illinois shall be used on any hogs in this state until further order.

IN WITNESS WHEREOF, I hereunto set my hand and cause the GREAT SEAL of this State to be affixed this 27th day of September, 1915.

SEAL.

(Signed)

J. S. DONALD,
Secretary of State.

EMANUEL L. PHILIPP,
Governor.

The Mueller Murder

WHEREAS, it has been represented to me that on the evening of September 24, 1915, or the morning of September 25, 1915, near the Village of Marquette, Wisconsin, between the hours of eight o'clock, P. M. and eleven o'clock, A. M., some person or persons, unknown, did feloniously, wilfully and with malice aforethought, kill one Robert W. Mueller and one Mrs. Robert W. Mueller; that after their death the said person or persons, unknown, did place their bodies in the Mueller cottage on the banks of Puckaway Lake; that the person or persons, unknown, did wilfully fire the cottage to burn the bodies and all evidences of the crime; and that the said person or persons, unknown, are still at large and that the ends of justice require that a reward be offered for the apprehension and conviction of the guilty parties;

NOW THEREFORE, KNOW YE, that I, Emanuel L. Philipp, Governor of the State of Wisconsin, by virtue of the authority vested in me by law, do hereby offer a reward of Five Hundred Dollars ($500.00) to be paid upon the apprehension and conviction, due form of law, of the said person or persons, unknown, who committed the crime aforesaid, the said reward to be paid to the person or persons who shall apprehend and deliver the said person or persons, unknown, to the proper officer of the County of Green Lake at the county seat thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this thirtieth day of September, in the year of our Lord, one thousand nine hundred and fifteen.

Seal.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
L. B. Nagler,
Assistant Secretary of State.

Thanksgiving Day

As another year draws toward its close, the people of our state and nation have extraordinary reasons to be thankful. While other countries have been engaged in war, we have enjoyed the blessings of peace. In an era of carnage and destruction we have been allowed to keep on in our accustomed ways of industry and national growth. Want, pestilence and all the evils that follow in the wake of war have left our homes unmolested; and now that harvest-time is past nature has rewarded our labors with an abundance that has seldom been equalled.

It is fitting that we receive these favors of Providence in a spirit of gratitude, and that, in accordance with our American custom, we set aside a day to render thanks for benefits received and take deeper thought upon the duties which such benefits impose upon us.

Thanksgiving is the oldest of our American holidays. Its spirit preceded and gave rise to our more patriotic celebrations. It is the natural expression of a people whose ideals are those of peace and industry. It is the holiday of the pioneer who, with all his hardihood and self reliance, realizes that his good fortune is not all of his own making nor wholly due to any virtue of his own.

As we have grown from a small country mainly concerned with agriculture and have taken our place among the mighty nations of the world, the spirit of thanksgiving has remained with us and the holiday has been preserved to express our attitude as a people.

The present year, with its compelling wider outlook upon world affairs, is well calculated to give it a still deeper and more thoughtful observance. Because of our fortunate situation we have been allowed to sit as a spectator nation watching nearly the whole world at war. While other homes are bereaved, fertile fields bereft of their laborers and the works of peace ruthlessly destroyed, we live at peace with the world and enjoy the fruits of our labor.

Confronted with war such as has never been known, with whole populations involved in racial strife that gives an entirely new aspect to war, we cannot but turn our eye inward and see new causes for hope and gratitude. A composite people, made up of the virtues of many races, and pledged to a

new ideal in government, our hearts have been torn in many directions by a natural sympathy with our kinsmen across the sea; and yet this trying experience has only served to draw us closer to our own country and knit us together in stronger bonds of patriotism.

For this, even more than for bounteous crops and such material benefits, we should be especially thankful.

THEREFORE, I, Emanuel L. Philipp, as Governor of the State of Wisconsin, and in conformity with a proclamation of the President of the United States of America, do hereby designate and proclaim Thursday, the twenty-fifth day of November

THANKSGIVING DAY

and recommend that it be generally observed. Let us unite with one another in remembrance of our blessings and thereby foster in our hearts the spirit of our nation, thankful, thoughtful and well disposed. And out of our own abundance let there flow a feeling of mercy to all men and a spirit of benevolence toward those who are not so fortunately situated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this eleventh day of November, in the year of our Lord, one thousand nine hundred and fifteen.

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
JOHN S. DONALD,
Secretary of State.

Suffering Poland

WHEREAS, The President of the United States, in response to urgent appeals for aid, has set aside January 1st, 1916, as the day appropriate for contributions for the relief of the suffering people of Poland; and

WHEREAS, From official and other reliable sources comes the information that hundreds of thousands of people in war-stricken Poland are suffering because of lack of food and clothing, and that sickness prevails among them; and

WHEREAS, No relief is now available for them, except such as may be brought across the sea, because of the fact that practically all of Europe is engaged in war, I do, therefore, make this appeal to the people of the State of Wisconsin.

We are now enjoying the blessings of peace and the fruits of a bountiful harvest. We can well afford to give of our surplus to the stricken people of Poland. Let us do this in the name of humanity, also as an appreciation of our own fortunate situation, also as an evidence of sympathy for the thousands of sturdy American citizens who have come to us from Poland and who have at all times shown their willingness to defend our country and its institutions.

NOW, THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, in compliance with the Proclamation issued by the President of the United States do hereby proclaim Saturday, January 1st, 1916, the day for the collection of contributions for the Polish Relief Fund. Contributions for this purpose may be forwarded to the Red Cross Society at Washington, or to the office of the Governor, to be forwarded by him to the proper authorities.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this thirtieth day of December, in the year of our Lord, one thousand nine hundred and fifteen.

SEAL.

(Signed)

EMANUEL L. PHILIPP,

Governor.

By the Governor:

L. B. NAGLER,

Assistant Secretary of State.

Jewish Relief Day

WHEREAS, the President, in accordance with the unanimous action of Congress, has issued a proclamation calling the attention of all citizens to the great needs and sufferings of seven million Jews in the war-stricken districts of eastern Europe and of Palestine, and has set aside a day for contributing to their relief,

NOW, THEREFORE, I, Emanuel L. Philipp, Governor of

Wisconsin, pursuant to the above proclamation, do hereby designate, Thursday, January 27, 1916,

JEWISH RELIEF DAY

and earnestly appeal to the citizens of our state to give liberally toward the relief of this suffering people.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this twenty-fifth day of January, in the year of our Lord, one thousand nine hundred and sixteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
J. S. DONALD,
Secretary of State.

Arbor and Bird Day

The people of Wisconsin, with a view to conserving the natural wealth and beauty of the state, have provided by law for a holiday upon which children shall be taught the usefulness and beauty of birds and trees. With the coming of spring it is customary to arrange exercises for school children which will beautifully celebrate the reawakening of nature with the return of bird and blossom, and at the same time convey lessons upon the useful functions performed by birds and trees and their necessity to man.

THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, in conformity with law and custom, do hereby proclaim Friday, the Fifth Day of May, 1916,

ARBOR AND BIRD DAY

and I recommend that teachers in all schools, public and private, prepare programs and exercises which will impress upon the minds of children the importance of birds and trees in the economy of nature, and teach them to take an active part in conserving these useful forms of life.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this eighth day of March, in the year of our Lord, one thousand nine hundred and sixteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

J. S. DONALD,
Secretary of State.

Setting Seed Corn Week From March 27, to April 1, 1916

WHEREAS, the attention of the Department of Agriculture has been called to the serious shortage of seed corn in Wisconsin arising from the unfavorable ripening season last fall, I deem it necessary to acquaint the public with the following facts:

Many germinating tests have shown that little of the seed corn has sufficient vitality to make it safe for planting without securing a germinating test of each ear. However, much of the seed saved, though low in germination, has within it many ears of high vitality. These can be discovered and saved by a simple test of each ear.

Many of Wisconsin's improved, home-grown and acclimated strains of corn that otherwise might be destroyed and lost to the state, in this way can be saved and profitably used. Greatly decreased stand and yield, and waste of time, money and effort surely will follow if the seed on hand is planted without proper testing.

The situation is so serious and the need for immediate action so imperative that I deem it advisable to publicly call attention to it. To this end, I hereby proclaim the week from March 27 to April 1 as Seed Corn Week. I urge that during this period every farmer thoroughly test each ear of his seed corn and eliminate all ears not showing high germination. I also suggest that business men of all classes encourage farmers in this work and that they render assistance in obtaining acclimated seed of high vitality.

IN WITNESS WHEREOF, I hereunto set my hand and cause the GREAT SEAL of this State to be affixed this 10th day of March, 1916.

Seal.

(Signed)

E. L. PHILIPP,
Governor.

By the Governor:
J. S. Donald,
Secretary of State.

Memorial Day, 1916

The soldiers of the War for the Union have a permanent place in the hearts of the American people. The cause for which they fought and the spirit in which they left their peaceful callings to take up the work of war has made them a living force in the conscience of the Republic. As citizen soldiers who fought for peace and were averse to war, they set an example for all time; and as such their spirits must ever march in the van of our nation's destiny.

For these reasons the Grand Army is never dead. With each recurring year they stand before us as vividly as ever. The march of time has been unable to leave them behind.

The day which is dedicated to their memory is not the anniversary of a great battle. We do not celebrate Antietam, or Gettysburg or Appomattox. Their day is not one of noisy demonstration as when we triumph over an alien foe. It is simply a day in spring when nature brings forth flowers to lay upon their graves. It is a fit spirit in which to remember those valient hosts that felt no pride of conquest and left behind them no heritage of hate.

The people of Wisconsin, in conformity with federal law, have provided for a day to be observed in their honor. Therefore, I, Emanuel L. Philipp, Governor of the State of Wisconsin, hereby designate Tuesday, May thirtieth, A. D. 1916,

MEMORIAL DAY

and I earnestly remind the people of their duty to keep it memorable. In schools and churches and in public meeting places where all may join, let us honor their memory and again consecrate our lives and thoughts to those national ideals which they cherished more dearly than their lives.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this twelfth day of May, A. D., 1916.

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
JOHN S. DONALD,
Secretary of State.

Flag Day

On the fourteenth day of June, 1777, Congress enacted the law adopting the stars and stripes as the banner of a new nation. In recent years there has been a growing sentiment among the people toward giving this day patriotic observance. It has become a time for the general display of the flag and for the holding of exercises which will instruct the growing generation in its history and meaning.

The flag of our country is the simplest and most beautiful expression of a national ideal. Its red and white bars, representing the beginnings of our history, are fixed in number; but that part which is called the Union, with its shining constellation on a field of blue, has always had room for another star. The flag, like the nation, stands for the idea of growth and solidarity. It is the flag of a country destined to grow, to take unto itself new seekers of liberty from all parts of the world, and not to become weak and disunited as it grows. As our national motto is "One out of many," so our national banner, by a beautiful symbol, expresses the same idea.

At the time it was adopted, the nation for which it stood did not exist except in the hopes and determinations of a people. It stood for an idea. Out of that idea, which found expression in this inspiring form, a nation was yet to be born.

To keep this idea before us today, to understand it and feel its inspiration, is as important as ever it was. We cannot go forward as a nation and work out our destiny as a free people except by the power of that ideal which has guided us in the past. Being such an emblem as it is, and of all flags the most

significant and the most beautiful, it is well for us to fling it to the breeze upon its birthday and pause to give consideration to its meaning.

THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, in conformity with custom and a proclamation issued by the President of the United States of America, hereby designate and proclaim Wednesday, June fourteenth, A. D., 1916,

FLAG DAY

and recommend that on that day there be a general display of the flag, special exercises and ceremonies in schools, public and private, and such honors to the flag as the patriotic spirit of our people may prompt.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this first day of June, in the year of our Lord, one thousand nine hundred and sixteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
JOHN S. DONALD,
Secretary of State.

June 19, 1916.

TO THE PEOPLE OF WISCONSIN:

When national emergencies occur it is lawful for the President to call forth to Federal service the Militia of the several States.

He alone and exclusively has power to determine when the exigency for such calling forth has arisen.

By order dated June 18, 1916, the President of the United States has called forth the Wisconsin National Guard to the number of one brigade of three regiments of infantry, one troop of cavalry, one battery of field artillery, and one field hospital.

His call is the call of the Nation and as such I transmit it to the National Guard of Wisconsin.

And I call not only upon those who are bound by enlistment

oath to serve the State, but upon all other people of Wisconsin that by their aid and encouragement, as in previous wars, the quota of Wisconsin troops required for National services may be promptly filled and thereafter maintained, and to the further end that in place of those who go forth, there may be organized, drilled and disciplined fresh troops to serve the State and the Nation if they shall be also called forth.

EMANUEL L. PHILIPP,
Governor and Commander-in-Chief.

STATE OF WISCONSIN
EXECUTIVE OFFICE.
EXECUTIVE ORDER
NO.

June 18, 1916.

Brigadier General Orlando Holway is hereby directed to proceed to Camp Douglas, Wisconsin, and assume command of all troops of the Wisconsin National Guard mobilized in pursuance of the Order of the President of the United States, dated, June 18, 1916, or which may hereafter be mobilized in pursuance of further such orders. He will establish headquarters on the Wisconsin State Military Reservation where the troops are to be quartered.

EMANUEL L. PHILIPP,
Governor and Commander-in-Chief.

Convening Special Session of Legislature

In the month of June the President of the United States called for troops, to restore order in Mexico and protect the Americans living on that frontier. In response to that call, four thousand Wisconsin guardsmen enlisted in the federal service and nearly all of them are now in the United States Army, stationed in or near San Antonio, Texas. No definite information is obtainable as to the length of time their services will be required. So far as present indications may mean anything, it seems certain that they will not be mustered out for several months.

The men of our guard who responded to the call of the President are all citizens of our State and nearly all voters. I am informed by their commanding officers that they ask for the privilege of casting their ballot at the general election in November.

Every patriotic citizen desires to exercise that right on election day and it is a privilege that should be accorded to all qualified citizens, and especially to those patriotic men who responded to the call of the President for defenders of our country at a time when there was reason to believe that the situation in Mexico was serious and that the protection of American lives, as well as the dictates of humanity, required the presence of the American soldier in that territory.

The right of giving the soldier the privilege to cast his ballot on the field, while in the service of the United States Army, is not a new one. It was given to the soldiers who served in the Union Army during the Civil War. The statute under which this right was exercised was, however, repealed by a subsequent legislature.

I believe the rights of our soldiers should at all times be respected and that the matter above referred to is of sufficient importance to justify a special session of the legislature.

THEREFORE, by virtue of the authority vested in me by the Constitution, I, Emanuel L. Philipp, Governor of Wisconsin, do hereby convene the legislature of this state in special session at the Capitol, in the city of Madison, on Tuesday, October 10, 1916, at two o'clock in the afternoon, for the purpose of enacting such legislation as will permit citizens of the state of Wisconsin who are in the service of the United States Army, as well as others who are unable to cast their ballot because of absence from home, the right of their elective franchise. And the votes thus cast shall be counted as if the same had been cast in the election districts in which they reside.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison this third day of October, A. D. 1916.

Seal.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
John S. Donald,
Secretary of State.

Labor Day Proclamation

The people of the United States, more than any other country in the world, have come to recognize the consideration due to labor. In this country, as in no other, the man or woman who toils is respected above all others. Whether he or she may be one of those master minds which plan and direct the work of this nation, or one of those who carry out those plans, the worker has the respect and good will of all thinking people. In this country the worker, no matter how humble may be his origin, may rise to the highest place in the land. By his industry he is known rather than by his caste or class.

It has become the custom to set aside one day in each year in honor of labor, when all work shall cease, and those who toil may spend this brief period in rest and recreation, well earned by the application of each to his allotted task during the year just closed. It is a day when we should thoughtfully consider the advantages of the government under which we live, and counsel, one with another, upon those things which we can do to make that government better.

Wisconsin always has recognized this day, and her people have responded to its obligations and have recognized its importance as a state as well as a national holiday.

THEREFORE, as Governor of the State of Wisconsin, I, Emanuel L. Philipp, do hereby designate Monday, the fourth day of September, 1916, as

LABOR DAY

and I recommend that on that day all work be suspended as far as possible, and that our citizens join with those who celebrate, to the end that the significance of the day may be brought home to our people, and that labor be accorded its just place in the thoughts of the citizens of Wisconsin.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-third day of August, A. D., 1916.

SEAL.

(Signed)

EMANUEL L. PHILIPP,
Governor.

By the Governor:
J. S. DONALD,
Secretary of State.

Fire Prevention Day

I desire to call public attention to a form of destruction and waste that is taking place in this state, and which should be prevented as far as possible, not only in the interests of those who lose their property but in the interest of the general public as well.

Statistics from the State Fire Marshal's Department show that the average monthly loss in this state from fire is approximately $400,000.00. In addition, there is a large toll of human life taken annually by the same cause. Such losses constitute an irreparable drain upon our resources. No doubt human life can be saved and the losses in money greatly reduced if greater precaution is taken to prevent fires.

For the reasons set forth and for the purpose of arousing our people to a keener sense of the dangers of fire and to induce them to take a more active interest in fire prevention, I hereby proclaim, that

Monday, the Ninth Day of October, 1916,
the anniversary of the Great Chicago Fire, be known as
STATE FIRE PREVENTION DAY

and I earnestly recommend that our people observe the same by a general cleaning up of removal of rubbish, trash, and waste from their premises;

That electric wiring, heating apparatus and chimneys be carefully inspected and placed in proper condition for winter use;

That all public and private institutions, hotels, asylums, factories and theaters be carefully examined on that day and wherever necessary, that proper changes and corrections be made to further protect the safety of the occupants and the value of the property;

That all local authorities give attention to the matter of better building regulations, stricter adherence to the building code, fire protection and fire prevention, as well as added apparatus for fire fighting;

That the press, by timely publications pertaining to fire prevention and protection, arouse the public to a general cleaning up and encourage civic and other public gatherings on the subject of fire waste of the State and the means for its prevention;

And that, lastly, fire drills be held on that day in institutions,

factories, in public, parochial and private schools, and I earnestly recommend that teachers instruct their pupils, through short talks and proper programs on the dangers of fire and the methods of fire prevention.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this 12th day of September, A. D., 1916.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
J. S. DONALD,
Secretary of State.

Thanksgiving Day

The autumn season has come to a close. Our crops have been gathered and nature will slumber until awakened by springtime. It is the season of the year when we, pursuant to a long established custom, set aside a day to offer thanks for the blessings that have come to us during the year.

As we review the events of the year, let us not be unmindful of these facts: Our State and Nation again have been blessed with bountiful crops. At a time when the greater part of the civilized world has been engaged in war and the people of the warring nations have been compelled to experience the horrors of war, we have been permitted to live in peace, to develop our industries and follow our usual pursuits. Neither pestilence nor want has come to us, and nothing has occurred to disturb our happiness except as our hearts have been saddened because of our sympathies for the unfortunate people of Europe who are engaged in a struggle, the end of which is not yet in sight.

In view of the foregoing, we may well consider ourselves a favored people, and it is fitting that we set aside a day on which to render thanks for these blessings.

As we assemble to offer thanks unto God for the blessings that have come to us, let us resolve that in our relations with other nations, and particularly with the belligerent nations of Europe, our country's actions shall be fair and just and at all times humane.

Let us promote a spirit of generosity within us to the end that we may be charitable and give freely of our surplus to relieve the wants of the needy of other lands who have been impoverished through war; also to our own people who through sickness or other misfortunes are unable to provide for themselves and are therefore poor. Let us promote a spirit of friendship and goodwill to one another, and a love of country, that will ever make us a united people.

In recognition of the kindness of Providence and in obedience to our long established custom, and for further purpose of conforming with the proclamation of the President of the United States, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby designate and appoint Thursday, the thirtieth day of November, nineteen hundred and sixteen as

THANKSGIVING DAY

and I recommend that our people meet on that day in their accustomed places of worship and acknowledge their gratitude to God for the many favors that have come to us during the past year.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison this twenty-fourth day of November in the year of our Lord one thousand, nine hundred and sixteen.

Seal.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
L. B. Nagler,
Asst. Secretary of State.

A Proclamation

WHEREAS it appears from the certificate of the chairman of the county board to Douglas County, Wisconsin, attested by the county clerk of said county, duly filed with me, that the county seat of justice of said Douglas County was, by chapter 10 of the laws of 1854, located upon section thirty (30), township forty-nine (49) North, range, thirteen (13), West of the fourth principal meridian; that thereafter the city of Superior

was duly organized within said county and that said city is, and has been for a number of years last past, a city of the second class; that the territory of said city includes the parcel of land above described and that the county board of said county duly submitted the following question to a vote of the qualified voters of said county at the general election held in said county on the seventh day of November, A. D., 1916, to wit: "Shall the county seat of justice of said Douglas County, now located on section thirty (30) township forty-nine (49) north of range thirteen (13), west of the fourth (4th) principal meridian, be enlarged so as to include all of the territory embraced within the limits of the city of Superior, Douglas County, Wisconsin."

AND WHEREAS, it further appears from said certificate that a majority of all votes cast at such election on that subject was in favor of said enlargement:

NOW THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, by virtue of the statute in such case made and provided, do publish, declare and proclaim that the territory embraced within the limits of the city of Superior, Douglas County, Wisconsin, is the county seat of justice of the County of Douglas, State of Wisconsin.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this ninth (9) day of January, A. D., 1917.

SEAL.

(Signed)

EMANUEL L. PHILIPP,
Governor.

By the Governor:
L. B. NAGLER,
Assistant Secretary of State.

A Proclamation

In so much as our country is now engaged in a war with the central powers of Europe, the possible magnitude of which we must not under-estimate, I feel it my duty to call the attention of the people of the State of Wisconsin to the sacrifices that we must make and the responsibilities that we must assume in order that we may fully cooperate with the national govern-

ment in upholding the arms of our nation. Whatever disagreement there may have been about the necessity or advisability of engaging in the war is now a thing of the past. War is upon us and I call upon every citizen of the State of Wisconsin to aid in the preparations that must be made to meet every emergency and to enable our state to do its full share in the support of our government.

Military preparations must of necessity be controlled by the United States government. We shall be called upon to provide our quota of troops and I feel confident that Wisconsin's sons will respond to the call of the President of the United States willingly and promptly and with the same spirit of patriotism that has characterized our soldiers in the wars of former years.

Soldiers alone cannot carry on a war successfully. Battles cannot be won with empty commissaries. Troops must be equipped. Armies must be fed. No soldier can endure the hardships of a campaign unless he is properly nourished. It is with a view of awakening our civilian population to a full realization of their duty in the present situation, therefore, that I address this message to the people of Wisconsin.

The most important problem that confronts us now, and which must be met in no uncertain way, is to provide a supply of food. The high cost of living has been a source of complaint in our industrial centers for more than two years. The available stocks of food have been gradually depleted until we find ourselves practically without any surplus in our own country, and an absolute shortage seems to exist all over Europe. The price of some commodities, because of this shortage, has risen so high as to place them out of reach of the masses of the people

To add to the seriousness of the situation is the fact that the South American grain crop is a partial failure and that a vast acreage of wheat in our own country has been winter killed. In the Canadian northwest there exists a shortage of labor, which will materially reduce the acreage of wheat in that section. The fact that we shall enlist a large army of able-bodied young men and take them out of production, coupled with the further fact that large numbers of laboring men will be required in the factories that will produce the munitions and other supplies for our army, may produce a similar shortage of labor in our agricultural districts.

I regard this as a serious situation, particularly in view of the fact that we must feed an army in addition to our industrial population, and also provide food supplies to the people of Europe with whom we are upon friendly terms.

In view of the foregoing, it is perfectly apparent that the man who works with a hoe will be a patriot in the service of his country, and I urge all who are able to work to contribute their part in the production of food, to the end at least that none shall contribute less than is required for their own support. What the country will need most are these plain articles of good: meat, potatoes and cereals for bread.

I urge every farmer in the State of Wisconsin who has suitable land to plant enough wheat to produce the flour necessary for his own use, and a surplus if possible. I urge that he plant sufficient acreage of corn and, if possible, increase his herd of swine, to produce pork for the market. I particularly urge that the acreage of potatoes be increased. Every farmer should plant enough of this vegetable for his own use, and wherever the soil is suitable he should make his potato field as large as he is able to cultivate.

I urge our farmers, as a matter of patriotic duty, to cultivate every foot of their soil; none of it is too poor to raise something. White navy beans and buckwheat will be in demand—in fact, anything that is food for man or beast will be a contribution to the pressing needs of our country.

Our farmers should require no greater inducement than the present high prices of all farm produce to encourage them in the cultivation of every foot of tillable soil. The fact that no large stocks of food will this year be carried over is in itself an assurance that the price of farm produce will be high for another year, even if peace were immediately declared.

It is reported that in some sections there exists a shortage of seed, particularly potatoes. The Department of Agriculture of the State of Wisconsin stands ready to act as a clearing house in the matter of seed supply, and all who have a surplus of seed of any kind should so advise Mr. C. P. Norgord, Commissioner of Agriculture, Madison, Wisconsin; and all who are short of seed of any kind should address the same official, who stands ready with his department to co-operate with the farmers of the state to the fullest extent in the matter of securing suitable seeds to plant the crop.

In order that we may conserve labor for agriculture and the necessary industries I recommend that public work, so far as it is possible, be deferred until such a time as labor shall not be so urgently needed for these purposes as it is at present.

I wish to again impress upon the people of this state that the food situation is so serious that we will commit a moral wrong against our government if we in any way unnecessarily interfere with the production and successful harvesting of our agricultural products.

I ask that all bankers, business men, farmers, societies, agricultural associations, labor organizations and, so far as possible, the schools of the state, interest themselves in the matter of increasing our agricultural products.

I urge that the bankers of the state give aid in the form of loans, in reasonable sums, to farmers who may need assistance either in the purchase of seed or in the cultivation of crops.

I recommend to the people of the cities, towns and villages that they plant liberal crops of vegetables on the vacant property, in order that they may supply themselves and thereby be protected against high prices of such commodities.

I also recommend that the citizens practise all reasonable economy in the conservation of food, bearing in mind that under present conditions food wasted is food taken from someone who needs it.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this thirteenth day of April, in the year of our Lord, one thousand nine hundred and seventeen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
L. B. NAGLER,
Assistant Secretary of State.

Arbor and Bird Day

The advent of spring is proclaimed by the song of birds, the budding of trees and the blossoming of flowers. These things nature has provided. As an annual reminder of the necessity of conserving the wealth of beauty so bountifully bestowed upon our great state, the people have ordained by law that a holiday be declared for the purpose of keeping alive the appreciation of the value of birds, flowers and trees, and to instill in the minds of the youths of the state a love for the beauties of nature and a desire to preserve and increase their value.

In accordance, therefore, with established law and custom, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby proclaim

Friday, the Fourth day of May, 1917,
ARBOR AND BIRD DAY

and I recommend that the day be observed by the planting of trees, the adornment of school and public grounds and by the holding of appropriate exercises in all the schools of the state to the end that the greatest possible advancement may be attained in harmony with the spirit of this proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-sixth day of April, in the year of our Lord, one thousand nine hundred and seventeen.

SEAL. (Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Fixing Clean-up Week from May 7 to May 12, 1917

With the coming of spring all nature puts on new and clean apparel. Trees cover their bare branches with leaves. Vines and shrubs put fourth buds and flowers. Barren fields become mantled with a carpet of green.

Nature's work is often marred and hampered by mankind.

A pile of rubbish destroys an otherwise beautiful lawn. Dead limbs on trees detract from the beauty of a yard or field. Occasionally an otherwise beautiful residence appears bleak or barren on account of the absence of trees, shrubs and flowers.

Besides marring the beauty of nature, rubbish and filth breed disease.

To the end that man may assist nature in Making Wisconsin a cleaner, happier, healthier and more beautiful state, and that its citizens may unite in a clean-up campaign, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby proclaim the week beginning May 7, 1917, as Clean-Up Week, and urge all citizens during that week especially to clean their respective premises of all accumulations of rubbish, trim their shade trees of all dead limbs and branches, plant shrubs and flowers and in all other possible ways assist nature in its annual clean-up campaign.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-seventh day of April, A. D., 1917.

Seal.

(Signed)
EMANUEL L. PHILIPP,
Governor.

L. B. Nagler,
Assistant Secretary of State.

Memorial Day

Fifty-two years ago a great struggle came to a close which established a new freedom in our country and demonstrated to the world that this republic can successfully resist an attack from within, despite the fact that it was often predicted by great men of the world that our government would fall because of its own weakness.

The successful conclusion of the war of the sixties gave this republic a place among the first nations of earth and our government a reputation of stability, and to our people a guaranty of their constitutional liberties. This great achievement was

secured to us through the unselfish sacrifice of our country's best men and noblest women.

With the exception of the brief period of the Spanish-American War we have been blessed with unbroken peace since the close of the events of the sixties. We have prospered in the meantime as has no other nation on earth. The righteousness of our cause that inspired the soldiers during the Civil War has been conceded by all, and we stand today as a united people, giving full approval of every human right that can be demonstrated as being in the best interest of mankind.

Many of our people cherished the hope that we had reached a point in our civilization when it would no longer be necessary to resort to war to settle the disputes that may arise between nations. It was generally believed that the peoples of earth had reached that point in their understanding of justice that it could at all times be obtained without resorting to the sword. It was a high tribute to the intelligence of man and to his moral development. Unfortunately we are again disappointed in our optimism. Our peace is again broken, and at this moment we find ourselves at war with one of the great powers of Europe.

In the sixties the immortal Lincoln was compelled to call our best manhood to the colors to preserve the Union and establish a freedom that would be guaranteed to all who live within the borders of our beloved country. Today our President calls the flower of our young manhood to the colors, that we may enforce our rights upon the sea and carry that freedom which we cherish so much to the oppressed of other lands.

As we gather to do honor to those brave men and women who fought our battles of former years and carried the duties and burdens of a nation during their time, let us pause and pray to Almighty God that in the struggle in which we are about to engage our arms may be successful, and that our brave young men who are offering their lives in the defense of their country will return to us with new glory won for our Flag. The observance of Memorial Day in commemoration of the deeds of the men and women who served their country in the gloomy days of the past will, I hope, be an inspiration for those who are called upon to render a like service now. It is an expression of our gratitude for those deeds of heroism and self-sacrifice that have

made our nation great, which, I am sure, will be bestowed upon them in the years to come.

The people of Wisconsin, in conformity with federal law, have provided for a day to be observed in their honor. Therefore, I, Emanuel L. Philipp, Governor of the State of Wisconsin, hereby designate Wednesday, May Thirtieth, A. D., 1917.

MEMORIAL DAY

and I earnestly remind the people of their duty to keep it memorable. I request that the people meet in the schools and churches and other public meeting places and devote their thoughts to our national ideals, to sing patriotic songs and do those things which bring the hearts of the people closer to the folds of this great republic, which is our beloved home.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this eighteenth day of May A. D., 1917.

Seal.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
Merlin Hull,
Secretary of State.

Registration Day

Pursuant to an Act of Congress, the President of the United States has issued a proclamation, commanding all male persons who have attained their twenty-first birthday, and who shall not have attained their thirty-first birthday, on or before the date named hereinafter, to present themselves for registration in the precinct where they have their permanent homes, between the hours of seven A. M. and nine P. M., on the fifth day of June, 1917; and every such person shall be deemed to have notice of the requirements of the law upon the publication of the President's proclamation, which was issued in the City of Washington, on the 18th day of May, this year.

No one within the age prescribed by law, and above referred to, is exempt from registration, except officers and enlisted men

of the regular army, the navy, the marine corps, and the national guard, and naval militia while in active service of the United States, and officers in the officers' reserve corps and enlisted men in the enlisted reserve corps while in active service.

Those who are sick and those who expect to be absent on the day of registration, in cities of over thirty thousand population, should at once apply to the city clerk, and in all other sections to their respective county clerks, for registration cards; and file same in their respective precincts on registration day. Persons absent from their homes attending schools, colleges and other institutions, will be treated as absentees, and should register under the rules prescribed for such persons.

The inmates of reformatories, penitentiaries and houses of correction, will be registered by the wardens on the days set for registration. The inmates of jails will be registered by the sheriffs. Wardens and sheriffs are directed to secure the necessary card to provide their inmates, and to certify to the registration of the same. Sheriffs will forward the same to the proper precincts; wardens will receive special instructions. Indians living upon reservations will be registered under the direction of the Commissioner of Indian Affairs. Indians not living on Indian Reservations will be registered the same as other persons.

I wish to call the attention of the people to the fact that the duty of registering rests entirely on the man who is subject to registration, and any failure to do so subjects him to the penalties of the law. The Act of Congress provides penalties as follows:

Any person who shall wilfully fail or refuse to present himself for registration or to submit thereto, as provided by the law, shall be guilty of a misdemeanor, and shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year; and any person who shall knowingly make or be a party to the making of any false statement as to the fitness or liability of himself or any other person, for military or any other service under the law, or regulations made by the president thereunder, or otherwise evades, or aids another to evade, the requirements of the law or of the regulations, or who in any manner shall fail or neglect fully to perform any duty required of him in the execution of the law, will be guilty of a misde-

meanor, and, upon conviction in the district court of the United States having jurisdiction, will be punished by imprisonment for not more than one year.

The law further provides:

Police officers of any grade or class, of town, township, county, state or nation, are required to render every assistance in the execution of this law. It is more especially the duty of such police officers to see that all male persons within the designated ages have registered, and to report those who have not registered to the proper registration board for such action as may be necessary. Police officers may require any person to exhibit his registration certificate.

It will be observed that the penalties of the law are severe, and I hope that no man subject to registration will attempt to shirk his duty in this respect. There is no possible escape from it, because those who may attempt to do so will be apprehended in course of time and will be obliged to submit to the punishment provided by law.

I call upon all citizens, patriotic bodies, county defense councils, and all other patriotic organizations, to give us their aid in making the registration a success. I suggest that every person who can do so make an effort to notify every man whom he knows to be of military age, reminding him of the fact that it is registration day, in order that he may not subject himself to the penalties of the law by reason of neglect or because of the fact that he had not received personal notice. If you have a friend who is forgetful, remind him that June fifth is the day upon which he must register.

Our country is involved in a great war. The registration of our young men who are of military age is the first act by the government that makes us realize that we are engaged in war. No man can refuse his country's call, and I feel confident that the people of Wisconsin will respond without a murmur. They responded to the call of the country in the wars of former days, —they will do so now.

The President wishes us to understand that this is *not a draft*, but a *selection*. That to be drafted for military service under this law merely means that the person so drafted has been found physically fit to render service as a soldier, and is asked by the government to do what we would expect him to volunteer to do.

I recommend to the citizens of the state that June fifth be made a memorable day in the history of the state of Wisconsin; that flags be displayed on public buildings and private homes, and that those who go to the booth and register, with the expectation of rendering a service, will receive the applause that is due a patriotic citizen.

The day should be known by an appropriate name, and I suggest to the people and to the press of the state that we refer to it as DUTY DAY.

Finally, I express the hope that the law and the proclamation of the President will be complied with by all citizens who are subject to it, that the unpleasantness of inflicting punishment may be avoided, and that you will enable me to say to the President of the United States, at nine o'clock in the evening of June fifth, that Wisconsin stands ready to furnish her quota of soldiers to the nation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-third day of May, A. D., 1917.

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State,

Flag Day

Pursuant to custom, I wish to remind the people of the commonwealth that June fourteenth is the anniversary of the adoption of our American Flag. It was created at a time when the American colonies were struggling for freedom. Inspired by its beauty and majesty, and the principles of human liberty that it stands for, they succeeded in establishing a government that guarantees the fullest measure of freedom to its citizens and equality before the law.

In the one hundred and forty-one years of its existence our flag and the American idea of government that it stands for has been attacked from without and within. It led the host

that repelled invasion as it did the great armies that preserved it for the Union. It came to be known in every land and upon the sea as the emblem of a great and growing republic that would ultimately convert the world to more humane principles of government, and a better regard for human rights.

The American people have not sought to conquer the world, nor have they ever wished to acquire the territory of another people. It has, however, been their wish that the people of all the civilized world might enjoy the human rights that we prize so highly and that are guaranteed to us by our constitution.

We believed it to be our settled policy that the stars and stripes remain on the American continent, and with the exception of our island possessions which are in the main a legacy of a war which we waged for the good of humanity, we have thus far adhered to that policy.

A suitation has arisen in the world that compels us to carry our flag across the sea at the head of a great army of Americans to aid in the establishment of greater freedom on continental Europe. Let us pray to God that this undertaking may be well directed and the human sacrifices that it will demand will be richly compensated, not by territory or wealth, but in the establishment of better conditions for the people of Europe, and the establishment of a permanent peace for all the world. Our beloved flag will lead the armies that we will send upon this new mission in Europe, as it will float over the American ships upon the sea. As it inspires our soldiers and sailors so should it inspire those who are left at home to carry on the work of cooperation to supply the needs of our army and navy in order that our soldiers and sailors be properly supported and that their dependents shall not be reduced to want, and that the spirit of patriotism will prevail among our people; all of which is necessary to make war a success.

THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, in conformity with custom and a proclamation issued by the President of the United States of America, hereby designate and proclaim Thursday, June fourteenth, A. D., 1917,

FLAG DAY

and recommend that on that day there be a general display of the flag, special exercises and ceremonies in schools, public and

private, and such honors to the flag as the patriotic spirit of our people may prompt.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this eleventh day of June, in the year of our Lord, one thousand nine hundred and seventeen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Red Cross Week

Demand is being made by the Red Cross Society, with the endorsement of the President of the United States, that one hundred million dollars be raised by the people of this country to support the Red Cross work during the war.

The present indications are that we shall send large armies into the field and it is, therefore, necessary that liberal arrangements be made for the care of the sick and wounded. We owe it to our own boys who have expressed their willingness to join the army and to our countrymen, generally, that we make liberal provision for the care of our soldiers that we may save the lives of as many as possible of those who are wounded or become afflicted with disease.

The Red Cross Society is established by an act of congress and is, therefore, an official organization. The President of the United States is its President and Ex-President William H. Taft is the chairman of the central committee. The society has undertaken the great work of supplying nurses and hospital stores as well as facilities and is, therefore, entitled to the support of the people.

WHEREAS, the President of the United States has proclaimed the week beginning June eighteenth Nineteen hundred and seventeen as

RED CROSS WEEK

THEREFORE, I earnestly request that the people gather in our cities and towns and undertake the work of collecting money for this important service, and I trust that the people will fully appreciate the important undertaking of the society, and will deal with it in a liberal spirit. All monies collected should be forwarded to the Red Cross Society at Washington, D. C.

I ask the press to give this proclamation, and any other material that is offered in behalf of the Red Cross Society, generous space that all may be made acquainted with the necessities of the Society and its mission, so that each and every citizen will understand it, and will give according to his ability.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twelfth day of June, in the year of our Lord, one thousand nine hundred and seventeen.

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Labor Day

The people, through their legislative bodies, have caused the enactment of laws which set aside a day each year when all industry shall cease, in order that the people may have an opportunity to give expression of their appreciation of those who toil and have made the mighty progress of our country possible.

It is fitting that this be done in order that all will realize that in this country there is but one class of citizens and that we are dependent upon one another for our peace and prosperity.

At present our country is involved in war and in order to succeed a great army must be organized and sent abroad, industry must be maintained at home in order to support our soldiers as well as our civilian citizens. These two great tasks will, to a large extent, devolve upon labor because it constitutes the greater part of our citizenry.

For the work done and to be done labor is entitled to our thoughtful consideration, and it should be our desire that every man and woman who toils shall be fairly rewarded and that we do all things that are helpful to make the burden that labor carries as light as possible, to the end that all may feel that there is a wholesome cooperation in our efforts to accomplish the great task before us.

THEREFORE, I, Emanuel L. Philipp, Governor of Wisconsin, do designate Monday, September third, 1917,

LABOR DAY

and request that the citizens of this state observe the day in a fitting manner and that they will give expression to the respect in which labor is held and show the regard that is due to those who must assume the greater part of our country's burden.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this thirieth day of August, A. D., 1917.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State,

Fire Prevention Day

In this crisis of the Nation's life, the question of conserving our resources, both natural and otherwise, is of vital importance. While the naval and military forces of the land are defending liberty, democracy and national existence, and in doing so sacrificing their lives and substance, it is meet and necessary to call the attention of all to the unnecessary loss of lives and property at home, which the state and nation can ill afford at the present time.

The annual report of the state Fire Marshal for the year 1916, shows a fire loss for that year of nearly six million dollars, $494,415.00 a month, and $16,254.74 a day. Statistics further show many injuries and lives lost in fires.

Further, the industrial expansion due to the war has increased the number of employes, and especially those without experience, and has speeded up men and machines. In the fever to produce, both employers and employees have forgotten safety cautions and movements, so industrial accidents have increased.

Not the conservation of resources and the safety and protection of workmen has become a national necessity and a patriotic duty of all.

NOW THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, in view of these facts, and to the end of arousing our people to the great need of conserving property and protecting lives, do hereby proclaim, Tuesday, October 9th, 1917,

FIRE AND ACCIDENT PREVENTION DAY

and urge that it be observed in schools, in public meetings and safety councils and in such other ways as may be deemed suitable.

It is recommended that Mayors of cities throughout the State issue their proclamation, urging a general cleaning up of all combustible waste materials in buildings, alleys, yards and premises, and the inspection and repair of chimneys, flues, stores, furnaces and boilers, the careful inspection of hotels, theatres, asylums, factories, schools and other public buildings, with a view of correcting all life and fire hazards in them.

Let all local authorities give attention to better and safer building construction, stricter adherence to building codes and regulations, the prevention of fires and accidents, and the upbuilding of the fire departments.

Let teachers observe the state law requiring monthly fire drills in schools and point out to their scholars the many causes of fires and accidents.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the city of Madison, this second day of October, A. D. 1917.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Liberty Day

The success of the Liberty Loan is so vital to the nation that every effort must be made to call the attention of our citizens to the fact that Liberty Bonds are now on sale and that the people of the state of Wisconsin must as a patriotic duty purchase their share of this government obligation.

We are engaged in war. Our government needs the money to equip our army and navy. Without proper financial support our army cannot defeat the enemy on land, nor can the navy protect us on the sea.

Our government is offering the people a good security—in fact, there is none better. The bond pays four per cent interest and should appeal to every citizen from purely an investment standpoint. If there be any person who doubts its worth I wish to remind him that our country has never failed to pay its obligations on maturity, and if the time ever comes when the value of the United States bond becomes impaired, then all other property will be of doubtful value.

The President of the United States has by proclamation appointed Wednesday, the twenty-fourth day of October, as Liberty Day and urges and advises the people to assemble in their respective communities and pledge to one another and to the government that represents them the fullest measure of financial support, and directs further that on the afternoon of that day that patriotic meetings be held in every city, town and village throughout the land.

THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby declare Wednesday, October twenty-fourth, 1917,

LIBERTY DAY

and I urge the people to comply with the wishes of the President in order that we may do our part in giving the necessary financial aid to our country. The money which the government asks for is for the purpose of carrying on our war, for the protection of our country, our homes and our people and I shall look forward to a generous response to this appeal.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this seventeenth day of October, A. D., 1917.

Seal.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
Merlin Hull,
Secretary of State.

Food Pledge Week

By direction of the President and the National Food Director, Mr. Herbert Hoover, the people of this Country are requested that beginning October twenty-eighth and ending November third, 1917, they lay the foundation for a practical conservation of food. Such rules and regulations as are necessary will from time to time be promulgated to be observed during the period of the War. Our fellow citizen, Mr. Magnus Swenson, whom Mr. Hoover has appointed as Food Director for the State of Wisconsin, acting under his authority, respectfully requests that the people of the State of Wisconsin observe the days that I have above mentioned as a Food Pledge Week. In addition to the observance of meatless Tuesdays and wheatless Wednesdays recently established in Wisconsin, and more reecently through Wisconsin's example established in the Nation, the people will be asked to sign the food pledge cards. The suggestion that we practice every reasonable economy in the use of food should at this time commend itself to every patriotic citizen. We must feed our Army and our Navy and contribute as much of our surplus as we can possibly spare to our Allies. The European countries that have made common cause with us are short of food. A large part of the male population of those countries are non-producers because they are engaged in War, and inasmuch as they are fighting our enemy it is just as important to our success that we provide their soldiers with the necessary food to keep them at the front. We must not forget that every soldier of the Allies who becomes exhausted because

of lack of food must be substituted by one of our American boys. It then becomes a question of either furnishing food or furnishing men, and I feel confident that when our people understand our real necessities in this respect they will be glad to forego luxuries and divide the necessities with the men who are defending our Country.

Wisconsin once more has an opportunity to demonstrate its unquestioned loyalty and to add the weight and influence of its splendid citizenship to this national food conservation campaign. By eliminating waste, and living up to the simple pledge asked by the food administration, we shall be able to make a larger contribution to the food supply of the Nation.

THEREFORE, I, Emanuel L. Philipp, Governor of Wisconsin hereby urge upon the people of this State the necessity and practicability of the observance of Food Pledge Week. I ask that every citizen assist the volunteers who will give their time to this work in Wisconsin, and that a representative of every home sign the food pledge card. I ask, further, that these cards be signed in the proper spirit, and with the determination to keep that pledge during the months to come, for the observance and application of the promises made will be the test of this food conservation plan.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-seventh day of October, A. D., 1917.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Thanksgiving Day

We have reached the season of the year when the people of our state and nation have gathered their crops and nature is preparing herself for winter. The soil yielded sufficient food for our own people and a surplus that we may give to the peo-

ple of other countries who do not produce enough for their needs. Throughout the year there has been an abundance of work at good wages for our laboring men; our industries have prospered, and in so far as the domestic affairs of our state and nation are concerned, nothing has transpired to disturb seriously the public mind.

Mingled with these blessings there has come to us, within the last year, the responsibility of doing our part in the great world war, the end of which is not yet in sight.

To meet this obligation in a manner that will reflect credit upon our people of this generation it is imperative that we place the flower of our young manhood and all our treasures at the disposal of our government, if that be necessary to insure success. Our people have thus far responded to the calls of the government in a prompt and generous manner, thereby demonstrating their love for our country and its institutions, and their willingness to make an unselfish sacrifice for the good of humanity.

Let us this day resolve to continue our generous cooperation and to devote all our energies to the successful prosecution of the war, in the faith that He who guides the destinies of nations will direct us and permit us promptly to put an end to the great calamity that has come to the peoples of earth. As a nation we shall be richly compensated by the fact that the world knows that this great sacrifice which we are making is being made to secure a new freedom for the peoples of Europe. This freedom will establish a lasting peace in the world and will give to them and to us greater security of life by relieving them of the oppressions and cost of militarism and us of its menace. This will indeed be a generous gift to all mankind.

Our soldiers and sailors who are serving our country should be remembered in our devotions. May God give them that inspiration that men need for success, in order that they may by gallant service spread new glory upon the pages of American history.

Therefore, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby designate and appoint Thursday, the twenty-ninth day of November, the day set apart by the President of the United States, as

THANKSGIVING DAY

and I recommend that our people meet on that day in their accustomed places of worship and acknowledge their indebtedness to God for the favors that have come to us during the past year and for His guidance in the great task that our country has undertaken.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-first day of November, in the year of our Lord, one thousand nine hundred and seventeen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Red Cross Week, December 16th to 24th

Christmas is almost here with its message of love and sympathy and of hope for the world. It is fitting that at Christmas time there should go out to the people of this Christian state and nation an appeal for the Red Cross.

How finely appropriate it is to link together Christmas and Red Cross, particularly in this time of world calamity! And how supremely important the work of the Red Cross is now!

The spirit of the Red Cross is the spirit of sympathy, the spirit of service and the spirit of mercy. It nurses the sick; it heals the wounded. It feeds the hungry; it clothes the naked. It cares for the soldiers and sailors on duty. It furnishes relief to the distressed communities and provides means for reconstruction. It is especially interested in the children of these communities and works unceasingly for their welfare. It fights distress in the war zone and at home, particularly tuberculosis. Its civilian relief for the families of soldiers and sailors prevents distress and hardship. It organizes hospital units and then turns them over to the Medical Corps fully equipped and fully manned. It sends millions of surgical dressings to our men. The Red Cross alleviates the horrors, distress and casualties of war.

It brings to our boys words of cheer, relief from pain and saves them from death in the hour of direct need. It is an important factor in hastening the day of victory for our forces by keeping our men mentally and physically fit.

We can do no less than help in this work. We must sacrifice for an object so worthy.

The American Red Cross is calling for fifteen million members in this nation and for three hundred seventy-five thousand and fifty-three members in this state by Christmas Eve. All preceding appeals to this state have been loyally, promptly and fully met. We will not fail in this. We can do what is asked. We will do it.

In order, therefore, to assist the Red Cross in its membership campaign, I, Edward F. Dithmar, Lieutenant Governor and Acting Governor of the State of Wisconsin, do hereby proclaim the week beginning December sixteenth and ending December twenty-fourth as Red Cross membership campaign week. I call upon every man, woman and child of the state to help Red Cross go "over the top" with the required number of members. Wisconsin in its usually effective and quiet way will do its utmost for the nation, and its response to this call of duty as well as of mercy will, I am confident, be in a genuine and war Christmas spirit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this fifteenth day of Decem, A. D., 1917.

SEAL.

(Signed)
EDWARD F. DITHMAR,
Lieutenant Governor and Acting Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

For the Conservation of Fuel

WHEREAS, the Fuel Administrator of the United States has directed that a large number of factories and business institutions remain closed for five days, and thereafter each Monday for ten consecutive weeks, in order that the people of the

country may conserve fuel and at the same time relieve our transportation facilities, so as to give the railroads and steamship lines an opportunity to better serve our government in the transportation of those commodities necessary for the successful conduct of the war, and

WHEREAS, It is the duty of every citizen to cheerfully comply with all rules and regulations promulgated by the United States Government,

I, therefore recommend a full compliance with the order of the National Fuel Administrator and his duly authorized agent, Mr. W. N. Fitzgerald, Fuel Administrator for the state of Wisconsin, who represents the National Government in the administration of the order.

A full and faithful compliance with the demands of the government in the matter above stated will temporarily throw many people out of employment which will result in hardship, and I earnestly request that the welfare of all factory employes in the industrial centers who are affected by this order be protected and that, so far as possible, either public or private employment be furnished them to enable them to support themselves and their families during this period of enforced idleness.

I further recommend to the people of the state that they practice every reasonable economy and particularly do I recommend that they abstain from the use of liquors in the interest of economy, and I appeal to those who are engaged in the sale of liquor that they close their places of business during the four days, January nineteenth, twentieth, twenty-first and twenty-second.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of this state to be affixed, this eighteenth day of January, A. D. 1918.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Convening Special Session of Legislature

I, Emanuel L. Philipp, Governor of the State of Wisconsin, under and by virtue of Section 4 of Article V of the Constitution of said state, which provides that the Governor shall have power to convene the legislature on extraordinary occasions, do issue this, my proclamation, to convene the Legislature of said state, at the seat of government at Madison, on the nineteenth day of February, A. D. 1918, at two o'clock in the afternoon of that day, to consider and act upon the following subjects of legislative business, towit:

1. To pass an act authorizing the state to borrow money to repel invasion, suppress insurrection and defend the state in time of war, as provided by section 7 of Article VIII of the Constitution of the state of Wisconsin.

2. To enact drainage legislation and to amend or repeal any of the drainage laws.

3. To amend chapter 2 of the laws of Wisconsin for 1916 special session, entitled "An act to create sections 11.69 to 11.82, inclusive, of the statutes, to permit electors absent on account of military service to vote at general and certain special elections."

4. To pass an act providing for the filling of vacancies in the office of Senator of the United States by temporary appointment by the Governor, until the next succeeding general election.

5. To amend section 1636-48 of the statutes, to permit automobiles and other vehicles to be run over the highways of the state, when in transit from the manufacturer to the dealer under the certificate of registration and license issued to such manufacturer or dealer.

6. To enact such legislation as will permit an increase in the salaries of teachers in public schools in cities of the first class during the period of the war, and for one year thereafter.

7. To make an appropriation to the Board of Regents of the Normal Schools to enable them to advance the wages of teachers in said schools during the period of the war, and for one year thereafter.

8. To amend sections 772-4 and 772-10 of the statutes, relating to civil service in counties having a population of two hundred thousand or more.

9. To amend the statutes relating to the registration of nurses.

10. To repeal section 1728a-11 of the statutes.

11. To amend sections 1728p to 1728za, inclusive, so as to make the same apply to cities of the second, third and fourth classes.

12. To enact legislation amending the charter of Northwestern College at Watertown, Wisconsin.

13. To amend subsection 5 of section 697-61 of the statutes, by increasing the number of county agricultural representatives and make an appropriation therefor.

14. To enact legislation to permit the employment of prisoners confined in the Milwaukee County House of Correction outside of said House of Correction and providing penalties for escape when so employed.

15. To enact legislation prohibiting inciting or attempting to incite or aiding in inciting insurrection or sedition, and prohibiting the teaching or advocating of disloyalty to the national government or opposition to the state government, and prohibiting interfering with or discouraging preparation for national or state defense, and enacting such other legislation as will protect our citizens during time of war and providing suitable punishments and penalties therefor.

16. To amend section 4607c of the statutes, so as to permit the manufacture and sale of skimmed milk cheese, providing the same shall be made in form or forms that will in neither appearance nor shape imitate or resemble full cream cheese.

17. To amend chapter 235 of the laws of 1917.

18. To provide an appropriation to complete present construction work together with equipment for buildings at Union Grove.

19. To amend the banking law so as to enable state banks to qualify as the depositories for government funds.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this first day of February, in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

On Purchase of War Savings Stamps

In times of peace, thrift and economy are prime virtues. In times of war, they are a necessity. A great thrift campaign has been started by the National Government, the purpose of which is to interest every man, woman and child in the country in saving, so that they may loan to the government in this critical hour.

Our country is calling! No individual is so rich or so poor that he should not join this movement.

I want to especially urge that during this week, every man, woman and child, so far as possible, purchase from a postoffice, bank or other agency, not less than one Five Dollar United State War Savings Stamp, which will cost $4.12 and urge at the same time that those who can, purchase more.

In this manner, if all will do their part, our accummulated savings can be a tremendous factor in financing this war and helping us win a victory.

I want to urge upon the school boys and girls the advantage of the opportunity that is offered them to help their government, for these thrift stamps can be purchased in denominations of twenty-five cents, and if each boy and girl in the nation will buy one, it will help to put our soldiers "over the top" and bring peace to this war stricken world.

I wish to especially interest our teachers in this thrift movement, and ask them to daily remind the children in their schools to heed the call of the government.

The lesson that will be taught will be helpful not only today, but in the years to come, and I particularly want to commend the hundreds of voluntary workers throughout the state of Wisconsin, who will engage in this campaign, and hope that the people of Wisconsin will extend to them their hearty cooperation.

By virtue of the authority in me vested, and in the interest of the great National War Savings Campaign, ordered by the National Government I hereby designate the week commencing February 3rd, 1918 as "War Savings Week" in Wisconsin.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison this second day of February, in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

On Third Liberty Loan

All citizens should appreciate that our country is engaged in a serious war and that it is necessary to raise a large army. We are calling the flower of our young manhood to the colors to meet this requirement. In order to make our soldiers effective we must give them the proper support. They require food and equipment—in fact all things that are necessary to properly maintain a soldier in the field. The expenditures of the government for these purposes are necessarily large.

Saturday, April Sixth, marks the first anniversary of our country's participation in the war. Our government finds it necessary to again call upon the people for their cooperation in the purchase of bonds, and is offering the Third Liberty Loan of three billion dollars, the bond to bear an interest rate of four and one-quarter per cent per annum.

I call upon the citizens of this state to again prove their patriotism by purchasing the amount set aside for us as our propor-

tion of this loan. The money invested in these bonds is in no sense a gift to the government. It is an investment. The security given is the very best that the people can find for an investment. Every citizen must come forward and do his part. We must give the soldiers who have gone to France and those who are yet to go the assurance they they will receive the united support of their countrymen and that we stand ready to make any sacrifice that is necessary for their encouragement.

It will be helpful if an announcement of this bond sale by the government be made in all public places where people assemble, and I suggest that Sunday, April Seventh, shall be known as

PATRIOTS' DAY

and that ministers call the attention of their respective congregations to this call for the cause of the war and urge the people to respond in a generous manner.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this fourth day of April, in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

On Third Liberty Loan

As the war progresses the necessity of the cooperation of all the people in the matter of providing the requirements of our soldiers becomes more apparent. Our American boys are daily leaving for the battlefield and their support, as well as the support of our allies, makes it necessary that every citizen loan as much money as he can spare to the United States Government, in order to provide the treasury with sufficient funds to meet the large expenditures.

It will not be a full compliance with the requirements of citizenship for any citizen to fail to do his duty in the present emergency in the affairs of our country. If we will all con-

tribute according to our ability to pay we shall be able to finance our government now and during the period of the war. It is only by a full cooperation of all of our people that we shall be able to do this, and a failure to provide our government with the necessary funds will result in national distaster.

Our government is now engaged in the sale of its bonds as authorized by act of Congress, and otherwise known as the "Third Liberty Loan." The bonds are as good as if they were secured by gold deposit and bear interest at the rate of four and one-quarter per cent per annum. No investor should be afraid to accept them, and the fact that they are sold in denominations as low as fifty dollars offers a splendid opportunity for people of moderate means to invest their savings in them.

In order that the people may be brought together for the purpose of hearing discussions of the war and its significance to the American people, and for the further reason that the financial necessities of the government be better understood nad in that way facilitate the sale of Liberty Bonds, the President of the United States has proclaimed Friday, April the twenty-sixth, as

LIBERTY DAY.

For the reasons set forth in this proclamation, and in compliance with the President's wishes, I recommend the general observance of the President's proclamation, and further recommend that all schools and colleges be closed at noon on the day mentioned, and that all stores and business institutions excepting banks be closed on Friday afternoon.

I hereby direct that the Capitol of the state be closed at twelve o'clock, noon, on Friday, April twenty-sixth, and that all state employees be given a half holiday on that day.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this twenty-third day of April, in the year of our Lord one thousand nine hundred and eighteen.

SEAL.

(Signed)

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Arbor and Bird Day

Nature, always peaceful, always beautiful, again reminds us of the approach of springtime. The trees are budding, the flowers are coming forth and the birds are straining their sweet voices in their effort to please us with their song.

Let us give expression of our gratitude for these beautiful creations by planting a tree in some place where a mighty oak has fallen or a shrub for one that has withered for want of care, to the end that beautiful trees and shrubs shall not grow less and the bird homes shall not be destroyed.

May I be permitted to recommend to you, good people of Wisconsin, that this year when our country is engaged in a great war and we must give our sons to it that you plant an abundance of flowers? They will aid in dispelling the gloom or feelings of lonesomeness because of the absent ones, and for each son who goes to war let all who can plant a beautiful young tree to commemorate his going.

In accordance, therefore, with established law and custom, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby proclaim Friday, the third of May, 1918,

ARBOR AND BIRD DAY

And I recommend that the day be observed by the planting of trees, the adornment of school and public grounds and by the holding of appropriate exercises in all the schools of the state, to the end that the greatest possible advancement may be attained in harmony with the spirit of this proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this twenty-fifth day of April, in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Thrift Stamp Day.

In order to insure the success of our army in the great world war and enable our soldiers to bring back the American flag with new honors and furnish another bright page in American history it is necessary that we meet all the requirements of the army, and also those of our allies who are fighting with our own brave boys to defeat our enemy.

Vast sums of money have been expended in necessary preparation and, if the war continues, no doubt still larger sums will be required. Large as these amounts may seem, there is no cost that is too high to save our country, our government and its institutions. A constant stream of money to the treasury must be maintained to meet our necessary expenditures, and for that we cannot depend upon large contributions alone. The small savings of the people must be relied upon to aid in securing what we must now provide.

Our government is now seeking to borrow the small sums that are in the hands of our children, in addition to the larger amounts that can be contributed by the people of greater means, and for that purpose is offering for sale Thrift Stamps which can be obtained in sums as low as twenty-five cents. Nearly every person can afford to forego something for the sake of the success of the war that will enable him to contribute at least twenty-five cents, the cost of one stamp. Greater sums can be spared by many without inconvenience, and I therefore appeal to the people of Wisconsin to be liberal patrons at the Thrift Stamp sale, and I recommend that Saturday, the eleventh day of May, 1918, shall be observed as

THRIFT STAMP DAY

and I further recommend that at banks, stores and other places of business each and every customer be requested to purchase at least one Thrift Stamp. The sacrifice that will be made by each individual purchaser will be comparatively small, however, in the aggregate the amount of money that can be raised in this manner will reach a large sum and will substantially aid our government in prosecuting the war, which must be brought to a successful conclusion to save our country and our homes.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this eighth day of May, in the year of our Lord, one thousand nine hundred and eighteen.

Seal.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
Merlin Hull,
Secretary of State.

Red Cross Week

The duty of caring for our sick and wounded soldiers and the alleviation of suffering among the fighting forces and civilian population of our allied countries has, by our government, been placed upon the American Red Cross Society. During the year 1917, the American people generously contributed a large sum of money for this purpose. The President advises us by proclamation that this sum is nearly exhausted and that another collection must be made in order to secure the means with which to keep up this work of mercy.

The American people have fairly earned their reputation of being generous, and their hearts are easily touched by appeals for the relief of suffering humanity—it matters not where the appeal comes from. Now, our own brave boys must be cared for and as a humane people we can do no less than give proper care to those who have fallen upon the battlefield, regardless of the army or country to which they belong. We should liberally support those splendid women, the Red Cross Nurses, who are being sent to the battlefields to aid in the care of our fallen heroes and I make this appeal to the people of Wisconsin for a liberal contribution to the Red Cross Society.

I hope that no citizen will feel burdened because the demands for funds are frequent. We must appreciate that we are at war and the cost of maintaining the institutions is necessarily large. However, no cost can be so great as would be

the cost of the loss of liberty to the world, and in this case it is our plain duty to make liberal provision for our soldier boys whom we have sent to the battle-line to defend us, and our allies who are fighting our fight with them.

NOW, THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, in view of the above facts, and in conformity with the proclamation by the President of the United States, do hereby proclaim the week beginning May twentieth, 1918, as

RED CROSS WEEK

during which money will be solicited by the agents of the American Red Cross Society to secure funds to carry on the work of that necessary institution, to alleviate the suffering of the soldiers and civilians whom the misfortunes of war have made helpless.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this eleventh day of May, A. D., 1918.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Registration Day

The President of the United States has, pursuant to law, declared June 5, 1918, as Registration Day under the Selective Service Law for all male persons who have attained the age of twenty-one years since June 5, 1917.

The obligation to register is placed on all such male persons in the United States on June 5, 1918, whether citizens of the United States, persons who have taken out their first papers only, or aliens. Persons in the military or naval service of the United States are not required to register while they remain in such military or naval service, but are required to register immediately upon leaving it.

The place of registration is ordinarily the office of the local Board having jurisdiction of the area wherein the persons required to register permanently reside. Within the jurisdiction of the Local Board having an extensive area or poor rail road connections, additional places of registration will be established, and these will be announced in the public press.

Persons who are likely to be absent from their homes on June fifth and who cannot register with the Local Board having jurisdiction over their places of residence should present themselves at the earliest possible moment to any Local Board wherever they may be. This Local Board will furnish such persons registration cards, and certify to the answers made on such cards. The duty is placed upon such persons to see that such cards are filed with the proper Local Board. This should preferably be done by registered mail. There should be enclosed with the card a self-addressed, stamped envelope in order that a regis tration certificate may be issued to the persons registering.

Special provisions have been made to register the sick.

Male persons of the designated age who, on account of absence at sea, or on account of absence without the territorial limits of the United States, may be unable to register as absentees will, within five days after reaching the first United States port, register with his proper Local Board or as provided for other absentees.

The places of registration are required to be open between the hours of 7 A. M. and 9 P. M. on June fifth next. But though the offices will be open during these hours, it is confidently expected that the registration may be completed in this state before two o'clock in the afternoon. Every patriotic agency and all good citizens will cooperate with us in securing a complete registration early on June fifth.

Wisconsin was the first state in the Union to report its registration returns to Washington last year. This report reached the Provost Marshal General four hours before the report of the District of Columbia. It was a splendid illustration of the willingness of the citizens of this state to pull together, for a national purpose. It was only a beginning of the splendid service citizens everywhere in the state have given to the national government. I am confident that we can do again this year what was done last year.

I call upon all persons now administering the draft, all public officials, all good citizens, and particularly the newspapers of the state, to cooperate in this great common enterprise.

I call upon all citizens who are willing to act as registrars on June fifth to offer their services to their own Local Board.

When these twenty-five thousand men of the designated age present themselves for registration on America's roll for the cause of humanity and dedicate themselves to their country and the civilization of the world, let us all rededicate ourselves to the great cause to which the President of the United States, our Commander-in-Chief, has offered all our resources, human and economic.

In conformity with the Proclamation of the President of the United States, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby designate and appoint the fifth day of June, nineteen hundred eighteen as

REGISTRATION DAY

and I call upon all persons of the designated age to present themselves on this day at the proper office of registration to enroll themselves for such military or other service as the constituted authorities may determine, and I urge upon all good citizens that the day be fittingly celebrated; that the business interests of the state will give the young men who are required to register every opportunity to do so; and that flags be displayed on public buildings and private homes on this day of dedication.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-fourth day of May, in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Memorial Day

In grateful remembrance of the patriotic men and women who gave their services to our country and the cause of freedom

during the Civil War, the people, through their legislative bodies, have declared that one day each year shall be observed as Memorial Day in their honor.

It is an American custom well observed to devote this day to patriotic services, and to otherwise honor the living and the dead of the great army of the sixties which in its time was the hope of the Nation.

The ideals that this great army of patriots fought for and established for us are again assailed and this year finds us engaged in a great world war, fighting for our own political existence and the permanent peace of the world.

It is, therefore, fitting that we, in addition to our usual devotions, on this day direct our thoughts to the critical situation that we are in and that we resolve to devote our lives and our treasures to the task of winning the war.

The President of the United States, has, by proclamation, recommended that Thursday, the thirtieth day of May, shall be observed as Decoration Day. He recommends that it be a day of public humiliation prayer and fasting, and exhorts his fellow-citizens of all faiths and creeds to assemble in their several places of worship and there, as well as in their homes, to pray to Almighty God that He may forgive us our sins and shortcomings as a people, and purify our hearts to see and love the truth and accept and defend all things that are justly right, beseeching Him that He will give victory to our army as they fight for freedom.

THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby declare Thursday, May Thirtieth, as

MEMORIAL DAY

and I recommend that the people observe this day as herein suggested, and I call especial attention to the words of the President and advise our people to follow his recommendations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this 27th day of May, A. D., 1918.

SEAL.

(Signed) EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

On Sale of Thrift Stamps

The stirring Memorial Day appeal of President Wilson calls attention to the needs of our country in the present great world war. It is an appeal to the people of the United States for hearty cooperation in all things needed to win the war.

The people of Wisconsin have thus far been most generous in their responses to the calls of the government. Our young men of military age are joining the ranks of the army with a spirit of enthusiasm that gives assurance that they will do their part as soldiers. In our prompt and liberal contributions of money and service this state is winning the admiration of the people of our country. The sacrifices that we have thus far made will add a brilliant page to Wisconsin's war history.

However, the end of the war is not yet in sight, and the splendid efforts that we have made in the past must continue. To meet the enormous expenditures that are necessary to assure success, we must learn to regard thrift as a virtue that all must practice. We can well afford to forego luxuries in order that we may save our earnings and loan them to the government to meet the expenditures necessary to carry on the war. Those who can give but small amounts are doing their "bit." The savings of our children, the working boys and the working girls, and the great army of wage earners, both men and women, if invested in government loans will, in the aggregate, amount to large sums and will be a substantial aid.

In order to give all an opportunity to show their interest in our country and its welfare, the government is offering Thrift Stamps for sale, the value of which has been well advertised and is understood. The allotment to this stsate of this class of security is fifty-one million dollars. Our people have thus far, by their liberal subscriptions, regularly exceeded the amounts allotted to the state and I sincerely hope that in this collection the state will again meet the expectations of the government.

On June twenty-eighth there will be meetings held in every schoolhouse in our state, and I earnestly request that the people attend these meetings and pledge themselves to purchase such amounts of these securities that our quota may be secured and that we may again be able to send work to our sons "over there" that our people are meeting every requirement of the war.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this seventh day of June, in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Flag Day

I wish to remind the people of Wisconsin that June fourteenth is the anniversary of the birth of the American flag. It was adopted by an act of Congress June fourteenth, 1777, and marked the beginning of a new nation.

In the one hundred forty-one years of its existence it has not failed humanity and has brought under its dominion a mighty nation that commands the respect of the civilized world.

This free government which our fathers established for us is again in danger and this time it is threatened by a foreign foe. We are engaged in a great war with a European military autocracy, whose ideals are antagonistic to every principle that this great American Republic stands for. At no time since the civil war has it been so necessary for our people to rally around our National Emblem for the purpose of organizing for the defense of our National ideals, our country and our homes.

Our people must not underestimate the importance and the difficulties of our undertaking, nor should we under these trying circumstances neglect even the small details of our duties as citizens of our beloved country. We are sending forth the flower of our young manhood to give battle to our enemy. We may well trust their hearts and their powers. However, we should not fall into the error of believing that a war can be carried on successfully by our soldiers unaided by the people of our country. We who are permitted to remain at home must organize ourselves into one great army to aid in the production of all

things that are necessary to support our army and our allies. Every person, young or old who is capable of performing any kind of work must consider himself enlisted in the great American army of production to back up the soldiers who are doing the fighting.

I wish to again remind you, fellow citizens of Wisconsin, that great battles will not be won with empty commissaries, nor can the soldier spare any of his necessary equipment. All helpful industry will receive its reward. The man on the farm who is producing the food, and the man in the shop who is producing the equipment and the munitions; the good women who are devoting their time and giving their labor to the work of the Red Cross and kindred activities; the professional and business men who are giving their time to the organization of the work—in fact, all men and women who are engaged in the great organization of industry and in some capacity give aid to our army, are properly classed among America's patriots. We have but one kind of slacker now and that is he who is physically able but gives neither service nor money to his country.

Let us this day resolve that the American flag shall wave over a united nation, that we shall stand shoulder to shoulder in the defense of our country, that we shall give no encouragement to those who wish to breed contentions at home, that we stand ready to make any sacrifice necessary to win the war and that we will accept no peace terms that are not a full compliance with the American purpose in the war. Let us fully sustain and give our confidence to the President of the United States and his aides upon whom rests the responsibility for the success of the war, and finally, let us prepare ourselves to meet our losses and temporary reverses with courage. All these promises and resolutions will be best observed if made under the American flag.

THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, hereby designate and proclaim Friday, June fourteenth, 1918,

FLAG DAY

and recommend that on that day there will be a generous display of the flags, special exercises and ceremonies in the schools, public and private, and such other honors to the flag as the patriotic spirit of our people may prompt.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this twelfth day of June, in the year of our Lord, one thousand nine hundred and eighteen.

(Signed)

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Soliciting Help For the Fatherless Children of France

Because of the ravages of the war the civilian population of France has been submitted to great suffering. Her women and children have in many cases lost their homes—in fact their all—and it is said that many are wanderers, traveling about the country living on charity. Notwithstanding this depressing situation her soldiers are fighting bravely with our own, and we have reason to believe that she will continue to give as long as she has a soldier to offer.

Through an organization called The Fatherless Children of France, of which General Joffre is president, an arrangement has been made under which, for the sum of $36.50 per year, a child can be clothed and fed. This arrangement was made for the purpose of caring for those children particularly whose fathers have been killed in the war and who are now without support, and it is said that it will permit the French mothers to keep their children at home where they may themselves care for them.

This appeal, coming as it does from little children, will, I am sure, reach the hearts of Wisconsin's men and women—in fact, of all Americans, and I recommend that on July fourteenth, which is the anniversary of the fall of Bastille, our men, women and children interest themselves in a collection for the benefit of the children of France. Gifts of any size may be sent to Mrs. Lawrence Fitch, chairman of the Central Committee of Eastern Wisconsin, 510 Back Bay, Milwaukee, and she will forward the

total sum donated to the French officers in charge of this charity which is headed by General Joffre.

I also recommend that on that day the French colors be displayed on public and private buildings of this state and that the Marsellaise be sung or played as generally as possible.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this eleventh day of July, A. D., 1918.

(Signed)

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

On Labor Situation

Our state has been blessed with a large crop of grain. It is particularly fortunate now that this is true, because of the great need for bread to support our army and our allies. It is of first importance to our government, and to the cause of the war, that this valuable crop be promptly and economically harvested.

In common with the other agricultural states of the northwest, there is a great shortage of labor on our farms, due primarily to the fact that a large number of our young men of military age have gone into the army or navy, and to the further fact that increased numbers are employed in the manufacture of essentials for the government.

I am advised by the Provost Marshal General that military necessities compel him to demand that every man who has been called be promptly forwarded to the military camps for training, and that he cannot now grant furloughs or defer induction into the service because of agricultural necessities.

The situation must be met in some way, and I feel confident that the people of the state, who are not engaged in farming will be willing to give their aid, so far as it is possible, in harvesting the crop.

To meet this great emergency, I call upon the people of the

cities, villages and towns to give as much aid to our farmers as possible, thereby dividing their time between their business and the farm, wherever such service is necessary, or to organize the labor that can possibly be spared temporarily and offer the same to the State Council of Defense for distribution wherever it is most needed.

I am sure that much can be accomplished in this way, and I urge upon the people of the state to take this matter up in earnest, and in the sense that it is in compliance with our patriotic duty to save our grain from ruin, in order that it may be used to feed the people who are dependent upon us.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in this City of Madison, this twenty-second day of July, in the year of our Lord, one thousand and nine hundred and eighteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Labor Day

The press reports that come to us each day remind us that our country is engaged in a great war, and that the future life of this nation depends upon its outcome.

The work of our army and navy has proven to be splendid, as has the cooperation of the people. In our own state the result of our war work has been particularly gratifying. Every requirement of the government has been promptly and generously met; our young manhood has responded in a manner that bespeaks their patriotic sentiments. They have come from the office, the counting house, the shop and the farm. In fact, from every walk in life. And nowhere has there been any opposition to military service. In the matter of material, the response has been generous; every demand for money has been oversubscribed,

and the work done by the Red Cross and similar cooperative societies has been most generous.

The noble women of the state have come forward and are giving their assistance in all things in which they can aid our soldiers. For all this, the people of Wisconsin have earned the reputation which is now freely conceded to us as being one of the foremost commonwealths of the United States in the matter of substantial support of the war. In considering the results that we have thus far been able to accomplish, we should not be unmindful of the fact that when war was declared, our country was without military preparation. We had practically no equipment with which to carry on war on land and no transports to carry soldiers and supplies across the sea. All this has been furnished in a little more than a year and a half, and our achievements in this respect must be disappointing to our enemies. For all this we are indebted to the splendid cooperation that has been given by the labor of this country. The products of the factory and the farm have made it possible to give the necessary aid to our allies and to transport our army across the sea, properly equipped for active service.

This nation is indebted to its mechanics and laborers for the splendid work they have done and for the fine support they have shown through it all. We may feel confident that this splendid cooperation will continue and that labor will continue to produce necessary material and food to sustain our army and navy. The necessity of the hour is that we remain united as one great productive organization, and with this assured, we may feel confident that no power on earth can overwhelm us.

The American people fully appreciate the part labor is taking in the support of the war, for what has been done, and for what may be done in the future, they will be ever grateful. The men and women who are doing the work in the country have come to us from all parts of the earth. The generous support that all the people are giving is substantial proof of the fact that the process of amalgamation has been a success and that entirely regardless of where our ancestors came from, all are Americans living under one flag, which we stand ready to defend to the end, no matter how costly that defense may be.

Monday, September the second, has been set apart as

LABOR DAY

and I recommend that on that day our citizens devote themselves to those toilers in order that all shall feel that honest labor, it matters not in what capacity, is honored and respected.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this thirty-first day of August, in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)

By the Governor:
MERLIN HULL,
Secretary of State.

EMANUEL L. PHILIPP,
Governor.

Registration Day

The President of the United States has, pursuant to law, designated September 12, 1918, as Registration Day for all male persons who shall have attained their eighteenth birthday and shall not have attained their forty-sixth birthday on or before September 12, 1918, unless they are in the military or naval service of the United States, or unless they are now registered under the Selective Service Law.

On that day the manhood of the Nation, between the designated ages will willingly add their names to the honor roll of the eleven million men who have registered heretofore and who are serving their country splendidly in factory and on farm and gloriously in Picardy, in Alsace Lorraine, in Italy, and everywhere, where armies today are fighting for righteousness.

The thirteen million additional registrants called to such service, military, civil or industrial, as the constituted authorities of Local and District Boards shall decide, is merely another evidence of our determination to push to overwhelming victory the cause of justice and civilization in which we are engaged. The President of the United States says "This will be our final demonstration of loyalty, democracy and the will to win, our solemn notice to all the world that we stand together in a common resolution and purpose."

The military program requires a full registration on Registration Day and an expeditious classification of the registrants. It calls for the whole-hearted and persistent cooperation of the State.

The obligation to register is placed on all male persons of the designated ages in the United States on September 12, 1918, whether citizens of the United States, persons who have taken out their first papers only, or aliens.

The place of registration will ordinarily be the voting place of the voting precinct in which the registrant resides. If for any reason in any locality this place is not used, special local notice will be given.

The registration place will be opened at 7 o'clock in the morning and will close at nine in the evening, though it is hoped the registration will be completed early in the evening.

Persons who are likely to be absent from their homes on September 12th, 1918, and who cannot register personally with the Local Board having jurisdiction over their place of residence should present themselves at the earliest possible moment to any Local Board wherever they may be. This Local Board will furnish such persons with a registration card and certify to the answers made on such cards. The duty, however, is placed upon such persons to see that such cards are filed with their own Local Board. This should preferably be done by registered mail. There should be inclosed with the card a self-addressed, stamped envelope in order that a registration certificate may be issued to the persons registering. Special provision has been made to register the sick.

Male persons of the designated age who, on account of absence at sea, or on account of absence without the territorial limits of the United States, may be unable to register as absentees will, within five days after reaching the first United States port, register with his proper Local Board or as provided for other absentees.

I call upon the Secretary of State, County Clerks, Boards of Registry, Inspectors of Election and all other public officials to perform such duties as are assigned to them by Chapter 196 of the Laws of 1917 and by the Local Boards.

I call upon all male persons of the designated ages, who will be away from home on Registration Day, to go now to the office of the Local Board and register.

I call upon all other persons who are required to register to go early in the day to the place of registration and to enroll themselves in their country's service.

I call upon every public agency, and every public official to

cooperate heartily with the Local Boards to see that wide publicity is given to the facts about Registration and that every facility is provided for a complete registration as early in the day as it is possible to have it.

I call upon the newspapers of the State who so splendidly responded to the recent call of the draft administration for assistance in the special registration; for even more generous assistance in performing the larger task that is immediately ahead of us.

I call upon all citizens who are willing to assist in the registration to offer their services to the Local Boards of the State.

I call upon all citizens and residents who are not to register to dedicate themselves anew that there may the sooner be a "new birth of freedom" for the world.

In conformity with the Proclamation of the President of the United States, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby designate and appoint the twelfth day of September, nineteen hundred eighteen as

REGISTRATION DAY

and call upon all persons of the designated age to present themselves on this day at the proper office of registration to exercise the high privilege of enrolling themselves for such military or other service as the constituted authorities may determine, and I urge that the business interests of the state will give the men who are required to register every opportunity to do so; that flags be displayed on public buildings and private homes; and that this day on which thirteen million of our people will formally dedicate themselves to the great cause of the country, of humanity, of civilization, shall be fittingly and solemnly celebrated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this third day of September, in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)

By the Governor:
MERLIN HULL,
Secretary of State.

EMANUEL L. PHILIPP,
Governor.

Convening the Legislature in Special Session

I, Emanuel L. Philipp, Governor of the State of Wisconsin, under and by virtue of Section 4 of Article V of the Constitution of said state, which provides that the Governor shall have power to convene the Legislature on extraordinary occasions, do issue this, my proclamation, to convene the legislature of said state, at the seat of government at Madison, on the twenty-fourth day of September, A. D. 1918, at two o'oclock in the afternoon of that day, to consider and act upon the following subjects of legislative business, to-wit:

1. Authorizing the Board of Regents of the University of Wisconsin, the Board of Regents of Normal Schools and the Board of Trustees of the Stout Institute, to cooperate with and expedite the plans of the Federal Government for military training, and making the necessary appropriations therefor.

2. Authorizing Counties, Towns, Cities and Villages to invest in securities of the United States Government.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this eighteenth day of September, in the year of our Lord, one thousand nine hundred and eighteen.

(Signed)

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Fire Prevention Day

In this time of war, it is of supreme importance that every resource of the nation, in men and materials, be protected and conserved.

The abnormal strain of war production is in itself a hazard to life, limb, and property.

Loss of man-power and wealth strikes at National power and efficiency as never before.

It is today the patriotic duty of all, young and old, to prevent,

as far as possible, the loss of life through fire and accidents, to safeguard workers in fields, mines, shops, and factories against accidents, and to eliminate all conditions which may cause fires.

NOW THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, for the purpose of arousing the people of this state to the magnitude of the needless loss of life and property, to induce them to take an active interest in fire and accident prevention, and to realize their individual and collective responsibility in these matters, do hereby designate and proclaim

Friday, the first day of November, 1918 as
FIRE AND ACCIDENT PREVENTION DAY

I especially urge that general educational exercises and fire drills be held in all schools of this state, to emphasize the great waste of life and property, and the best methods of protecting both;

That factories employing a considerable number of workers have a fire drill;

That all public and private institutions, hotels, theatres and factories be carefully inspected to discover and remedy all fire and life hazards;

That the public press, through its news columns and editorials comment, call attention to the wastage of man-power and wealth through fire and accidents;

That the teachers of our public schools give definite instruction in methods of avoiding accidents and fires; and

That each individual citizen of this Commonwealth realize fully his duty to his neighbors and to the community to keep and maintain his premises in a clean and safe condition, free from life and fire dangers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this 15th day of October, A. D., 1918.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

United War Work Campaign

TO THE PEOPLE OF WISCONSIN:

With a thoughtful regard for the moral and social welfare of the millions of young men who are being called from their homes to fight for our liberties and for the liberties of all free peoples the United States government authorized seven great organizations to look after the well-being of the men in the military service at home and abroad. These organizations are the Young Men's Christian Association, Young Women's Christian Association, National Catholic War Council of Knights of Columbus, Jewish Welfare Board, War Camp Community Service, American Library Association and Salvation Army.

With a fine disregard for the technical differences which in civil life often separate them so widely, these organizations have proceeded to carry on the work assigned to them in a manner which commands the admiration of the civilized world, and have earned in particular the heartfelt gratitude of every family in our own country having a member in the service.

These organizations are supported by the voluntary contributions of the people of our country, and a joint campaign is soon to open for the raising of a total sum of $170,500,000.00 needed by them for the maintenance of their noble work. We should deem it not a duty merely but a high privilege to contribute of our substance generously to this great cause. The people of Wisconsin have responded with promptness to every military demand made upon them by the government, and have liberally and enthusiastically answered every call for voluntary help to sustain the war activities thus far—and they will not fail in this.

NOW THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do call upon the people of the state to lend their best effort and strength and give to the fullest extent of their means, to the appeal for funds that shall be made by the United War Work Campaign, beginning on November 10th next, for $170,500,000.00 to carry on their work so successfully begun.

And I further request that this proclamation shall be read from every pulpit in the state on Sunday, November 10th, and on the following day in every school so that the children of the state also may to the extent of their ability join in this beneficent war work.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this 22nd day of October, A. D., 1918.

(Signed)

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Thanksgiving Day

Because the hearts of our people have been moved to praise and Thanksgiving by the coming of peace after more than four years of strife and bloodshed involving nearly the whole civilized world, we approach the time of the year when it is our custom to give formal and public expression to our gratitude with a profound feeling and a solemn joy.

The earth has yielded bountifully, we have prospered in our many undertakings beyond any preceding year, the hearts of the people have been stirred to generous response to the calls made upon their means, their time and their sympathies in carrying on their home share in the great strife, all of which call for thankfulness. But, beyond all these is the supreme cause for gratitude, that our nation has been permitted to have a worthy part in destroying despotism and in bringing to a successful close the greatest war of history fought for the noblest principles that ever inspired the hearts of men, and in ushering in an era of greater liberty and safety for the entire world.

The cultivation of a spirit of genuine gratitude gives the strongest assurance that we shall make the highest use of the blessings which have come to us, and faithfully meet the sacred duties which they impose.

NOW THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, in accordance with the proclamation of the President of the United States, do designate and set apart Thursday, the twenty-eighth day of November as a day of thanksgiving and praise. I recommend that the people of the state,

giving up their ordinary occupation for that day, do assemble in their several places of worship and in their homes and render thanks to Almighty God for the great blessings which have been vouchsafed to us.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-first day of November, in the year of our Lord, one thousand nine hundred and eighteen.

(Signed)

SEAL.

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Christmas Roll Call Week

All humanity is passing through a critical time. The great battles of the world war have been fought, and by the will of God and the valor of our own and the allied armies, we have won. But this does not end our responsibilities, nor has the troubled world been brought back to a peace basis. Hunger and disease are always associated with war, and the stories of want and misery that are brought to us from the belligerent countries of Europe touch the American heart. I believe it to be the will of our people to render to humanity such assistance as we can and to lift the sufferers out of their unfortunate situation.

The American Red Cross Society has rendered a fine service but its work is not yet done. While it is true that no more wounded are being sent back to its camps from the battle lines, there remain many thousands of disabled soldiers to be cared for, and what is still a greater task is to care for the unfortunate civilian population which has been impoverished by the war in those countries where hostilities have been carried on.

The high esteem in which the American Red Cross Society is held by the American People has been clearly shown by their generous response to its needs. The money contributions have been very liberal and it is safe to say that only a small per cent

of our citizens who were able to pay anything declined to do their share. The Society must continue its work, but it does not wish to make any further campaign for funds in the manner in which these campaigns have heretofore been conducted. It is proposed now to raise its revenue through increased membership and I call upon every man, woman and child in the state, who can possibly spare the membership fee to enroll with the Red Cross Society during the week of December 16th to 23rd, which will be known as

CHRISTMAS ROLL CALL WEEK

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this thirteenth day of December, in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)

By the Governor:
MERLIN HULL,
Secretary of State.

EMANUEL L. PHILIPP,
Governor.

Fatherless Children of France

The great war in which France lost nearly two million men has left more than half a million orphaned children under sixteen years of age in that country. Fully half of these children are dependent upon outside aid, their mothers being without sufficient means to maintain their families in the degree of comfort necessary to ensure healthy physical growth. The French government allows twenty cents a day for each child but this is not enough to provide food, clothing and shelter.

It was to meet this situation and make possible the assistance which the people of this country were eager to afford that in May 1918 there was incorporated under the laws of the State of New York "The Fatherless Children of France" an organization which in a most systematic way, in close cooperation with the parent organization in France is now caring for 85,000 French orphans. The method pursued is for individuals and societies of various kinds in this country to "adopt" one or more orphans and pay the ten cents per day necessary to be added to the twenty cents allowed by the French government, in order

that the children may have proper support. For each orphan then adopted in this country there is sent to France $36.50 annually being ten cents a day for each.

No other organization is furnishing war aid in this country or elsewhere so inexpensively as the Fatherless Children of France for not a cent is taken for administration. Each orphan whose support is undertaken in Wisconsin or in any other state received the full $36.50. The head organization in New York is made up of a hundred or more people prominent throughout the country, whose financial responsibility makes certain the proper handling of all funds entrusted to them.

A special appeal is now being made throughout Wisconsin and the entire country to secure the adoption of more of these orphaned children. There are still 250,000 of them that full provision has not yet been made for, and every community of the state is to be canvassed for the purpose of increasing the list of adoptions. It is imperative that these children should be given relief immediately if they are not to suffer. This call comes as a challenge to our generosity, and gives us as well the most effective means of showing our admiration and sympathy for the French people whose noble and self-sarificing resistance to an unscrupulous foe during four and one-half years of struggle on their own soil has inscribed their name high on the scroll of fame.

In every community there is an organization or individual that will receive your subscription. If one of these does not find you go to your local bank and ask it to forward your "adoption" subscription. Act at once so that Wisconsin will maintain the fine record it has made since the war began for large-hearted generosity and loyalty.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this seventeenth day of December, A. D., in the year of our Lord, one thousand nine hundred and eighteen.

SEAL.

(Signed)

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Father and Son Week.

The boy of today is the man of the future. The duties and responsibilities, that rest upon men of mature years in our time, will be passed to the lad of today when he reaches manhood and takes the place of those who have lived before him.

The young boy's mind is not yet trained in the ways of the world and he must look to those who are older than he for guidance. What he shall be in the future will depend to a large extent upon the impression that those who are around him and whom he knows best will make upon his young mind. Because he is a boy and knows that he must prepare himself for the life of a man, he is anxious to be told about the duties and responsibilities that await him when he reaches manhood.

I am sure that every boy likes the association of his father provided the father will keep close to the boy's heart. And in order to cultivate a closer relation between father and son, a custom has been established to observe a certain number of days each year to be known as

"FATHER AND SON WEEK."

This year the managers of this worthy enterprise have decided that we shall observe the days of February 11-17, both inclusive for that purpose.

I recommend to the fathers of Wisconsin boys that they give their young sons their special attention upon the days I have named. It will strengthen the bond of friendship between father and son, which in turn will guide the young lad in his journey from boyhood to manhood and give him an earlier and better understanding of his duties as a man and a citizen.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-fourth day of January, in the year of our Lord, one thousand nine hundred and nineteen.

SEAL.

(Signed)

EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Fixing Clean-up Weeks for Municipalities

With the advent of early Spring, stimulating early gardening and a freer outdoor life, comes the necessity for a general cleaning up of premises inside and out. Every movement within reason that contributes to the tidiness, healthfulness and safety of our homes and industries should be given place in our domestic routine. Any conditions that detract from the beauty and healthfulness of our surroundings aid the forces that tear down.

Not only should dead branches and old trees be removed, trees trimmed, and flowers, shrubbery and gardens cultivated, but due attention should be paid to the removal of rubbish and other wastes. Basements, often the receptacle for cast-off materials of many kinds, become not only dangerous to life through increasing the fire hazard, but may actually be unhealthful and productive of illness. More than ever before we are called upon now to safeguard the lives of our citizens in every possible way. Let us then be active in the field of domestic sanitation and do all things to promote a well ordered life for ourselves, our families and neighbors.

In the interest of a more healthful, wholesome and safer standard of living, therefore, and in order that the citizens of Wisconsin may join in this common cause, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby proclaim the weeks from April 28 to May 10, 1919, or such other periods as may through ordinance be designated by municipalities as Clean-Up Weeks, and urge all citizens during such periods to clean up their premises within and without, ridding them of all wastes, the presence of which is a detriment to the appearance, orderliness and healthfulness of the surroundings, and in other ways to assist in making our homes and property safer and healthier for all the people.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, the third day of April, A. D., 1919.

SEAL.

By the Governor:

MERLIN HULL,
Secretary of State,

EMANUEL L. PHILIPP,
Governor.

Arbor and Bird Day

This is the season of the year when the birds return to their summer homes. The trees are budding and nature, which has been dormant during the winter months, has now returned to life. The people of Wisconsin with a view of conserving the natural wealth and beauty of the state, have provided by law for a holiday upon which children shall be taught the value of birds and trees.

The observance of Arbor Day began soon after the Civil War and from the beginning it has had a civic motive and an association of patriotism. Another great war has come to an end and we shall seek many ways to perpetuate the memories of those who have made the extreme sacrifice. We wish to keep fresh our own memories of what they gave and it has been happily suggested that we may do this by adorning with young trees our waysides and our yards, each named for a fallen soldier. I suggest to our citizens that the origin of the day be borne in mind and request them to observe it by devoting it to tree planting and to otherwise beautifying their gardens and homes. All this will bring cheer and will help us to remember the great victory which our armies have won and the sacrifices which our soldiers have made.

In accordance, therefore, with established law and custom, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby proclaim Friday, the Second day of May, 1919,

ARBOR AND BIRD DAY

and I recommend that the day be observed by the planting of trees, the adornment of schools and public grounds and by the holding of appropriate exercises in all the schools of the state, to the end that the greatest possible advancement may be attained in harmony with the spirit of this proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-fifth day of April, in the year of our Lord, one thousand nine hundred and nineteen.

SEAL.

By the Governor: (Signed)

MERLIN HULL, *Secretary of State.*

EMANUEL L. PHILIPP, *Governor*

Seventieth Anniversary of the Admission of Wisconsin to the Union

I take this occasion to remind the people that the twenty-ninth day of May, 1919, will be the seventieth anniversary of the admission of our state to the Union.

As citizens of Wisconsin we are all deeply interested in the future development of our great state, also in the history of the generations that have passed away, who were instrumental in its organization and who performed the great labor of converting a wilderness into a state known throughout the Union for its agricultural and industrial development.

I do not wish it understood that I am here proclaiming a legal holiday. It is, nevertheless, fitting that we honor by words and deeds the memories of the men and women who made this state of Wisconsin possible, and who laid the foundation for our prosperity. I therefore call upon schools and colleges, civic bodies and other organizations and the press of the state to observe Wisconsin Day. I suggest that, particularly in our schools, the state's history be reviewed and the loyalty and patriotism of our citizens be given consideration in order that the younger generation may truly understand the Wisconsin spirit.

Finally let us all glory in the achievements of this our commonwealth and resolve that our state shall move forward in all matters that benefit mankind and that we may preserve for all time the well earned reputation of being an honest, industrious and enlightened people.

I wish to further recommend that our schools review the achievements of our gallant soldiers and sailors who are now returning to us, and the patriotic work carried on by our citizens during the gloomy days of the World War. The history of the state's cooperation is fresh in our minds now and should be transmitted to our children in the schools in order that they receive a proper conception of the meaning of citizenship and the duties that it places upon all those who wish to enjoy that privilege.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-second day of May, A. D., 1919.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Memorial Day

The defense of our country and the protection of our ideals of government have caused the American people to make great sacrifice of human life and treasures. Those who came forward to defend the American flag and the institutions for which it stands are held in grateful remembrance by our citizens.

For many years it has been our custom to assemble and review the patriotic service rendered by our soldiers and sailors during the days of the Civil War, when our patriotic citizens offered their lives that this Union of States might be preserved and the Republic might live.

This year a new army is returning from the field of battle where it made its sacrifices in the interest of human freedom and American institutions, and the beautiful custom which we have established to do honor to our heroes of former wars may with perfect propriety be applied to the gallant American soldiers and sailors who fought for our country in the great World War.

On this solemn occasion I wish to remind our people that many Wisconsin boys are buried over seas and that their graves are therefore not accessible to us. It is desirable that wherever services are held special mention should be made of those who are slumbering in foreign lands and that we offer consolation to the bereaved parents and relatives of those who will not again return to us.

As we gather to do honor to the brave men and women who fought our battles and brought victory to us let us pause to

thank God that the great World War has been brought to a close, that our armies were victorious and that our soldiers and sailors are being returned to us with new honors won for the American flag and the nation for which it stands. Let us pray that our country may not again become involved in war and that the light of peace may lead the world for all time.

The people of Wisconsin, in conformity with federal law, have provided for a day to be observed in the honor of those of whom I have spoken. Therefore, I, Emanuel L. Philipp, Governor of the State of Wisconsin, hereby designate Friday, May thirtieth, A. D. 1919

MEMORIAL DAY

and I earnestly remind the people of their duty to keep it memorable. I request that the people meet in the schools and churches and other public meeting places and devote their thoughts to our national ideals, to sing patriotic songs, to decorate the graves of our soldiers and sailors and do those things which bring the hearts of the people closer to the folds of this great Republic, which is our beloved home.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-second day of May, A. D., 1919.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Flag Day

I wish to call public attention to the fact that June fourteenth is the anniversary of the birth of the American flag.

On that date a year ago our country was involved in the great World War and we are sending the flower of our young manhood to the front to give battle to the enemy. The battles that

turned the tide of war were fought during the succeeding summer months. Our army was victorious and the major portion of the units furnished by this state have returned to their homes. It is our country's first experience in waging war upon European soil and although our government was entirely unselfish in its purpose, the success of our arms was a matter of deep concern among our people.

It is a matter of state pride that Wisconsin soldiers took a prominent part in the battles that turned the enemy and that their brilliant services have been officially recognized by our allies.

Whether every hope that the American people entertained when they entered the war will be realized or not will not detract from our country's glory. The American purpose was to aid mankind by establishing an opportunity for a better and happier life for the people of central Europe. Our army aided in destroying the militaristic power which made the realization of American ideals forever impossible. In doing that we rendered a valuable service to the world and our flag comes back to us with new glory because it has rendered a new service to mankind.

As citizens of a free country it is our duty to impress our youth, and in fact all who do not fully understand the value of our government and its institutions to the individual citizen, of its true worth as compared with the rights and privileges granted under other forms of government.

Let us give our attention to the promotion of the true American spirit and on this day teach reverence for the flag that stands for all that our freedom has cost and our forefathers have established for us.

THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, hereby designate Saturday, June fourteenth, 1919.

FLAG DAY

and recommend that on that day there will be a generous display of flags, special exercises and ceremonies in the school houses, public and private, and such other honors to the flag as the patriotic spirit of our people may prompt.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this eleventh day of June, in the year of our Lord, one thousand nine hundred and nineteen.

SEAL.

(Signed)

By the Governor: EMANUEL L. PHILIPP,
Governor.

MERLIN HULL,
Secretary of State.

Boy Scout Week

The Boy Scouts of America have rendered a valuable service to the Nation during the World War. They were effective bond salesmen and collectors for the Red Cross—in fact, they have demonstrated that it is an organization that should be encouraged.

There is a widespread feeling among our people that the value of the American government to the individual citizen should be taught to our young people in the schools. It is part of the plan of Americanization that will produce the desired result of establishing a better understanding of the comparative worth of a government by the people as against the other forms that exist in other countries.

The Boy Scouts are promoters of good citizenship, love for truth and the flag and are, therefore, a valuable aid to the schools in the work of promoting good citizenship.

The President of the United States has by proclamation recommended that the period beginning June 8th to Flag Day, June 14th, be observed as Boy Scout week for the purpose of strengthening the work of the Boy Scouts of America. It is the plan of the organization that sufficient aid be gathered during the period set aside by the President to enable it to strengthen its work.

The institution is worth all that it costs and I earnestly recommend that the people of Wisconsin all extend to it their usual generosity and give the organization the aid that it deserves.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this eleventh day of June, in the year of our Lord, one thousand nine hundred and nineteen.

SEAL.

(Signed)

By the Governor:
MERLIN HULL,
Secretary of State.

EMANUEL L. PHILIPP,
Governor.

Five Hundred Dollars Reward

Whereas, it has been represented to me that at a late hour on Monday, July 21, 1919, in the city of Reedsburg, Wisconsin, some person or persons, unknown, did feloniously, wilfully and with malice aforethought, assault and rob one George Donley, from the effects of which assault said George Donley died Sunday, July 26, 1919; and that the said person or persons unknown are still at large, and that the ends of justice require that a reward be offered for his, or their, apprehension and conviction.

Now, therefore, Know Ye, That, I, Emanuel L. Philipp, as Governor of Wisconsin, do hereby offer a reward of Five Hundred Dollars, to be paid upon the apprehension and conviction in due form of law, of the said persons who committed the crime aforesaid, the said reward to be paid to the person or persons who shall apprehend and deliver the said person or persons, unknown, to the proper officer of the County of Sauk, at the county seat thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this thirty-first day of July, A. D. 1919.

SEAL.

(Signed)

EMANUEL L. PHILIPP,
Governor.

By the Governor:
W. B. NAYLOR,
Asst. Secretary of State.

Convening the Legislature in Special Session

I, Emanuel L. Philipp, Governor of the State of Wisconsin, under and by virtue of Section 4 of Article V of the Constitution of said state, which provides that the Governor shall have power to convene the Legislature on extraordinary occasions, do issue this, my proclamation, to convene the Legislature of said state, at the seat of government at Madison, on the fourth day of September, A. D. 1919, at two o'clock in the afternoon of that day, to consider and act upon the following subjects of legislative business, to-wit:

1. To consider the enactment of such legislation as will grant the privilege to attend the university, normal schools, high schools, common schools, special schools or any private college located in the State of Wisconsin, to any soldier, sailor, marine or nurse, who rendered service during the world war, and who was in the service of the army, navy, or hospital corps of the United States, on or before the date of the signing of the armistice, and to provide for the payment to such persons of certain sums of money by the state in monthly payments during the period which such student attends such college or school, and to make the necessary appropriations for such payments and to provide by adequate appropriation, the necessary facilities, including instructional staff in the university, normal schools, the public schools, and to create any special school or schools required and make the necessary appropriations therefor and to levy a special tax to raise the money necessary to carry out all of the provisions of such a law.

2. To amend chapter 674, laws of 1919, otherwise known as the Blue Sky Law.

3. To amend chapter 542 of the laws of 1919, relating to county tax for needy soldiers.

4. To amend chapter 660, of the laws of 1919, relating to the appropriation for the state superintendent of schools.

5. To consider legislation validating bond issues of municipalities, villages and school districts.

6. To consider legislation permitting county boards to make appropriations for the collection, publication and distribution of war records.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the city of Madison, this twenty-eighth day of August, in the year of our Lord, one thousand nine hundred and nineteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Labor Day

It has been stated that war is destruction and that the world must pay the price. The World War has brought many conditions upon us that prove this statement. We read it in the daily press, we hear it in private conversation wherever we go, that economic conditions are everywhere disturbed. That, particularly in Europe production has been very much reduced because of the great loss of man power and the unsettled condition of governments. Although the production of food has been greatly reduced in Europe, the people must nevertheless be fed, and this fact has created an export demand for American food products far greater than any that our country has heretofore experienced. The government report of exports testifies to that fact. This abnormal export demand is in a large degree responsible for the high price of food in our own country which is being so much complained of by our people and, particularly, the laboring classes. No doubt speculation has contributed its part to this condition, it always has during abnormal times, and history has in this regard again repeated itself.

Too much is expected of legislation to provide the remedy that the people are looking for. Natural laws must be given a chance to do their part. Nor can these laws be substituted by legislative enactment. Time will gradually work out the problem of the cost of living, and the process will not be completed until the world's stock of food and other necessities of

life, which have been neglected during the period of the war, are replaced. This may seem a slow process. The restless will grumble and the agitator will scold. However, entirely regardless of these manifestations, legislation and threats will offer but a weak and disappointing remedy, and the people will be compelled to wait for their relief until production will again overtake consumption. One thing is certain, we shall not be able to reduce the cost of living by enforced idleness, and the men, who are today advocating strikes and other forms of discontent, are causing the production to be further reduced, which will have the effect of reducing the stock of food supplies and other necessities of life, and which will in the end still further increase the cost of these supplies. The remedy lies in keeping at work, and in that way increase our stock of products rather than to stand idly by and consume our surplus. If we are going to keep our balance during this period of reconstruction, both labor and capital should be reasonable and considerate of each others' interests. The question of wages and working conditions should be settled without strikes. And above all labor ought not to be influenced at this time by politicians, who are breeding discontent for no better purpose than to promote their own political interests.

The season of year is fast approaching that will make demands for fuel, better clothing and warmer houses. It would be unfortunate indeed if the laboring man should at this time drop his tools and forego his earnings and enter the winter with an empty hand to meet the demands that will be made upon him. This does not mean that labor shall not be justly dealt with. No country can prosper long where capital does not deal fairly with those who toil for it. But I wish to repeat that most reasonable demands can be secured without strikes and that labor should not during these times lay too much stress upon conditions that have no direct relation to wages.

Monday, September the first, has been set aside as Labor Day, and I wish to express the wish that the day be devoted to the creation of a better relation between employers and employes. That each will be willing to learn the needs of the other and that a conciliatory spirit be created, that will have a tendency to protect us against industrial idleness, which would be the greatest misfortune that could come to all the people of our country at this time.

I hereby declare Monday, September the first, as

LABOR DAY

and recommend that it be generally observed as a holiday throughout the state of Wisconsin.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the city of Madison, this twenty-ninth day of August, in the year of our Lord, one thousand nine hundred and nineteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Armenian Relief

The war has, we hope, determined that peoples driven from their countries by brutal invasion shall have the right to return, possess their lands in established peace, and live their own national and political life.

For 3000 years the Armenians, who are probably the most ancient Christian people in the world, have formed a barrier against the Paganism of the Orient, and have been for over 500 years the most industrious and intelligent people in the Turkish Empire. The refusal of the Armenians to fight with Turkey against the Allies, let loose upon these helpless people a crusade of torture and murder so diabolical as to be impossible of description. Over 4,000,000 of them have been massacred, their young women have been dragged into nameless captivity; and of the survivors, 1,500,000 are starving to death, dying by the thousands daily. If we let these people perish, we will be completing the work the Turk set out to do. This for the Americans must be an impossible thing. At this point the war for us is not yet over.

There are now 450,000 helpless, starving little orphans in Armenia with no one to look to for aid but America. This country has never had a greater opportunity than is hers now

in caring for these 450,000 children, and in building in the heart of Asia a nation, the influence of which will permeate throughout that continent. With Turkey in unrest, all of Asia is in turmoil. With Asia in arms, Europe must necessarily become embroiled, and when Europe goes to war, America now knows only too well the result for her in life-blood and material resources. If we save these people we save the world; let them perish and the world will be lost to the dread of war for another generation. It is not going to be a brief task to make this nation of children self-supporting and independent, and to instill into them idealism of government and life, but it is a task decidedly worth while.

To save the life of one of these orphans costs only seventeen cents a day or $5.00 per month. The American committee for Armenian-Syrian Relief is incorporated by Act of congress and is responsible to congress for report of its work. Its remittances are sent through the state department; its accounts in Asia are audited by American Consular Agents. Wisconsin headquarters have been established at 212 Baker Block, Racine. Mr. Walter J. Kasten of Milwaukee, is state treasurer.

I urge upon every household in Wisconsin, that can spare money from its own requirements to give a helping hand to these starving children to the extent of agreeing to pay each month the sum necessary to maintain one young life. They are truly poor and they belong to the lowly. Said the Master: "As ye do unto the least of these, so do ye unto Me."

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the city of Madison, this thirtieth day of August, in the year of our Lord, nineteen hundred and nineteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Fire Prevention Day

The great waste of property in our state by fires, a large per cent of which can be traced to carelessness, makes it necessary for me to again call the attention of the people of the state to that fact and admonish them to exercise greater care in the maintenance and management of heating apparatus both in the home and in the shop. The high cost of new buildings and our cramped housing facilities in the cities makes fire prevention a matter of unusual importance.

I also wish to call attention to the fact that many accidents are occurring in the shops, on the highways and on the streets of the cities of our state in which men, women and children have been maimed, and in a large number of cases lives have been lost, causing an irreparable loss and grief and sorrow in the homes. No doubt many of these accidents could have been avoided by the exercise of greater care, and I regard it important that our people give at least one day to serious reflection on how to avoid unnecessary accidents to life and property, in order to minimize the damages caused by carelessness.

Following the established custom, I do hereby designate and proclaim Thursday, the ninth day of October, 1919, as

FIRE AND ACCIDENT PREVENTION DAY

I urge that on this day special exercises be held in schools and other public meeting places to call attention to the needless loss of life and waste of property, through accidents and fire, and to the best methods of preventing both.

I further urge and recommend:

That all waste and rubbish be cleaned up and removed from private and public premises,

That all stoves, boilers, furnaces, smoke pipes and chimneys be inspected and repaired before heavy fire is needed,

That defective electric wiring and roofs be promptly repaired,

That hotels, factories, schools and all other public and private institutions where a large number of people assemble or labor be carefully examined for life and fire hazards,

That the public press through its editorial and news columns call attention to the needless accidents and waste of property,

That all teachers give definite instruction in methods of avoiding accidents and fires.

That municipal authorities give special attention to better and safer building construction, stricter adherence to building ordinances and codes, local fire prevention inspections, and the improvement of fire fighting facilities and apparatus.

That fire drills be held on that day in factories, schools, and public buildings, and that teachers observe the law requiring monthly fire drills in all schools.

That each citizen realize his duty and responsibility to his neighbors and to the community to keep and maintain his premises in a clean and safe condition, free from dangers to life, health and property.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this 2nd day of October, A. D. 1919.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Americanization Day

October twenty-seventh is the sixty-first anniversary of the birth of Theodore Roosevelt. There has scarcely been a time in American history when it was so necessary to arouse the true American spirit and to bring our people close to American Institutions as now, and in recent times no man has to a greater extent exemplified American ideals as did our late beloved Ex-President. It may be said of him that in his youth he was found faithful over a few things, and he was made ruler over many. He cut his own trail clear and straight, and millions followed him toward the light. He broke a nation's slumber with his cry and it rose up. He cut the eyes of the blind with a flame that gave them vision. He was loyal to his country and he exacted loyalty. He loved many lands, but he loved his own land best. He was the type of American that the whole nation respected although men could and did disagree with him at

times. His interest in and loyalty to his country was never questioned. He was a man of action, and even those who had the widest differences with him in matters pertaining to the welfare of our country never doubted his honesty.

To the young he was an inspiration because he opened to them the door to the possibilities that stood before them. To the masses of struggling humanity his presence suggested faith in our government and in the justice of its institutions because he truly represented the spirit of the founders and the principles of equality which they so carefully guarded in our constitution.

It is helpful to good citizenship if we call attention to the lives and achievements of our nation's great men. It should be part of our plan of Americanization to teach American ideals in our schools as Theodore Roosevelt taught them to the people.

THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby proclaim Monday, October twenty-seventh, 1919, as

AMERICANIZATION DAY

and request that upon that day all schools set aside a short time for patriotic exercises, dwelling upon the life and work of Theodore Roosevelt as an American, and the necessity of perpetuating American ideals.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twenty-second day of October, A. D. 1919.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Armistice Day

November eleventh of this year will be the first anniversary of the armistice which brought about a cessation of hostilities in the World War. The people of Wisconsin, in common with

the people of our country, are gratified that the truce has been maintained and that negotiations fixing the basis of lasting peace between the belligerent nations are in an advanced stage of progress.

The people of Wisconsin rejoice at the return of American soldiers from service abroad and because of the natural and easy resumption of the cares of civil life by those who have been members of the military establishment of the nation. In other countries the disbandment of great armies nearly always has presented a major problem in readjustments following war. Here the transformation once more has been accomplished without difficulty, as it was at the conclusion of the strife of more than half a century ago, a consummation in both instances speaking well for the character of the American people.

Opinions are expressed in some quarters that the armistice will be found to have marked the end of all war—the beginning of a permanent peace throughout the world. It is a beautiful thought—in fact, a hope that we may well wish will be fully realized. Selfishness has been responsible for most wars; it is an instinct that every person seems to possess in a greater or less degree, and as long as men are selfish nations will not be morally above the level of those who rule them. Unfortunately the war with its attending miseries has not changed human nature. While we cannot guarantee a permanent peace to the world, we as a nation should use our influence against war whenever we can do so without a sacrifice of our national honor or the surrender of any important rights that are essential to the happiness of our people.

While celebrating Armistice Day the American people will remember that both the army and the navy rendered distinguished service which brought the war to a speedy close, and that patriotic devotion such as American soldiers and sailors manifested in time of war is due to the nation from all its citizens in peace as it is in war.

Following the war there has existed a widespread spirit of unrest and discontent from which our own country is not entirely free, though its most violent manifestations have taken place in other lands. At such a time the patriotic American people will be especially alert to resist the evil designs of those who are not in sympathy with our sentiments to be dampened by unfair or false criticisms of our government, nor place any

faith in the un-American doctrines that are brought to us from foreign shores. Let us all remain faithful to our constitution. It has protected us in our liberties since the foundation of the government and it will do so in the future if we will adhere to its fundamental principles.

Because of the importance of the event, I, Emanuel L. Philipp, Governor of the State of Wisconsin, suggest the observance of Tuesday, November eleventh, 1919, as Armistice Day by the people of Wisconsin. I recommend that patriotic services be held in the schools and colleges of the state and that the American flag be displayed from all public buildings, and I further recommend that a brief portion of the day be devoted to patriotic exercises wherever that is possible.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this fifth day of November, A. D. 1919.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Thanksgiving Day

It is an established custom in our country that dates back to early settlements to set aside a day for the worship of God and thanksgiving for the bountiful crops of the year and for the fact that the soil yielded enough to feed our people. This year a sufficient supply of food has been produced to make famine impossible in any part of our land, and for this fact let us be truly grateful to Him who gave it.

Because we have been favored with a food supply which exceeds our own necessities, we should not be unmindful of our duty to the people of other lands who have been less fortunate than we and who are actually suffering the pangs of hunger, and give to them from our surplus in order that they too may

live and enjoy God's generosity to us. If we pursue a generous policy in this respect we shall not commit the sin of selfishness.

At our last Thanksgiving Day the great World War had just come to a close by the signing of the armistice. Our boys in the army and navy were still in the service and there was great anxiety among our people concerning their return. A year has elapsed without the resumption of hostilities; our young men who escaped the extreme fate of a soldier have been returned to us and have again resumed their civil occupations. As we assemble to offer thanks for the year's blessings let us not forget to express our deep appreciation of the services of our sons and daughters who were able to respond to the call to the colors and participate in the defense of our country, and express our gratitude for their return. And I ask the good people of Wisconsin not to forget to bring a word of consolation and cheer to the homes of those who gave their lives to their country and are therefore not here now to rejoice with us.

As we review the situation in the world in the past four years we cannot avoid the conclusion that our country and its people have been fortunate indeed to escape with no greater loss than we have sustained. I do not wish to underestimate the value of the fifty thousand or more lives that were lost during the war, and yet compared with the sacrifices made by other nations, it is but a small number. Our agriculture flourished and we have at all times had sufficient food. Work has been plentiful at unprecedented wages, and nowhere in our land was there hunger or deprivation among those who were able to render sufficient service to earn a comfortable living.

Compared with the history of other nations during the same period, the American people have indeed much to be thankful for and it would seem that only the best of feeling and good will should exist in our country. There is, nevertheless, a widespread feeling of unrest and dissatisfaction. It seems that agitators, who in the main are men of evil thought and design, have seen fit to take advantage of what looks to them as a most favorable opportunity to harrass the government and spread discontent among the people. We may, however, feel confident that this sentiment will in due time be overcome and that our government is in no sense in danger.

In order that there be no cause for complaint let us strive to

establish a just relation between capital and labor wherever injustice may exist; and when that is established let us demand of every man who seeks the protection of our country and its laws that he be a genuine American in all that the term implies and forever banish from our shores those who would preach discontent and sedition; and when we have rid ourselves of the enemies of organized government, and particularly the enemies of this great republic, we will have accomplished something that our children and the generations to come will be truly thankful for.

Therefore, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby designate and appoint Thursday, the twenty-seventh day of November, the day set apart by the President of the United States as

THANKSGIVING DAY

and I recommend that our people meet on that day in their accustomed places of worship and acknowledge their indebtedness to God for the favors that have come to us during the past year and ask His guidance in the settlement of the many difficult tasks we have before us.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this eleventh day of November, in the year of our Lord, one thousand nine hundred and nineteen.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
Merlin Hull,
Secretary of State.

Actors' Memorial Day

For the splendid support given to our country during the World War we feel grateful to every class of people. The country needed the hearty support of the people in every trade and profession, and in expressing our appreciation we should not for-

get any class that was helpful to the nation during the time of serious trouble.

Perhaps no single profession contributed more to the maintenance of a good spirit and the promotion of patriotic sentiment than did the actors who during the war period occupied the American stage. Nor was this their only contribution, they responded freely to the demands of the government for money and other support—in fact, their conduct during the war was such as to commend them to the kind considerations of the American people.

The stage is in a measure a school; the actors are the teachers and the lessons in patriotism that they taught by word and by illustrations were helpful in creating the patriotic sentiment that the war needed for its support.

Entirely aside from any debt that we owe them for their generous support of our country, the people in this profession are entitled to our encouragement. In the main they are men and women whom nature has endowed with special talents, who create within us a love for that which is best in music, art and literature. Those who entertain us with their humor render a service to us by dispelling the gloom that accumulates during the hours of labor, and make our hearts lighter and life more cheerful. We admire these people; we wish them prosperity; however, with few exceptions their reward, outside of personal popularity, is small, and their professional career is usually short. Faces wrinkled by age and infirm bodies do not as a rule attract large and profitable audiences, and, not unlike some other professions that serve the people, many men and women who give their best to the stage find themselves poor at the close of their stage lives.

A movement has been placed on foot to recognize December fifth as Actors' Memorial Day. I am assured that this is in no sense a begging scheme, but merely a movement on the part of the people to aid the actors' profession in building up an actors' fund for the benefit of the men and women in the profession as a fitting recognition of their services.

Therefore, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby declare Friday, December fifth, 1919, as

ACTORS' MEMORIAL DAY,

and urge the people of Wisconsin to give their generous support

to the people in the theatrical profession to whom we are indebted for much both in time of war and in peace.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this nineteenth day of November, A. D. 1919.

SEAL.

(Signed)
EMANUEL L. PHILLIP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

In Support of Wisconsin Anti-Tuberculosis Association

Firmly convinced that the health of the people is a state's greatest asset and that the loss of human life and human producing power through needless death and disease is its greatest waste of valuable resources, I hereby designate the week of December 14th as a special Health Conservation week and urge the people of the state to give loyal cooperation in furthering the state's organized campaign against preventable disease and for better health.

Wisconsin ranks high among the states of the union in its health work. The organized campaign against tuberculosis has proved the power of the people to control preventable and communicable diseases by utilizing scientific knowledge and by educating the people. It has proved that tuberculosis is both curable and preventable by steadily cutting down the death rate and by restoring each year through sanatorium care the health and producing power of scores of men, women and children.

In spite of this gratifying progress, however, tuberculosis still remains the greatest single menace to public health. It is the costliest of all diseases. It caused 2,319 deaths in Wisconsin in 1918. It claims its greatest number of victims between the ages of 18 and 45, the period of young parenthood, of greatest earning ability and of greatest economic value. Its prevalence among children is appalling and is just beginning to be realized.

There are in Wisconsin approximately 2,900 young men of draft age who were not allowed to serve in the recent war because tuberculosis made them unfit to fight. These men and other sufferers from the disease must be cared for. Families and friends must be protected from the danger of contagion.

The constructive work of peace, especially in these unsettled times, with their tremendous obligations, also calls for a maximum efficiency. Physical and mental fitness are as essential now as they were in the war emergency. Health conservation is therefore a civic duty.

To this end I urge that generous support be given the Wisconsin Anti-Tuberculosis Association in the annual sale of Red Cross Christmas seals with which it finances the educational campaign against preventable disease. In this sale it is the state representative of the National Tuberculosis Association and the American Red Cross. The work that it is doing means a better, healthier Wisconsin and cannot be commended too highly or supported too loyally.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this fifth day of December, A. D. 1919.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Father and Son Week

The foundation for much that is good within us is laid in the days of our youth. Honesty, industry and love of country are virtues that should be brought to the attention of the young minds, especially to the boys, early and often. Character building is a duty that is often neglected, which is responsible for the misconduct of some young persons who would not diverge from the path of duty if they had been properly led in the days of their youth by those who have the greatest influence over them.

Every father can easily cultivate the love of his son and can promote in him an ambition to be a worthy citizen and a desire to have the respect of his fellowmen.

The love of country must be instilled in the young heart. If that be done, it will lay the foundation for good citizenship for a lifetime. Upon the boys of today rest the responsibilties of the future, and it should be our purpose to prepare them for that responsibility in so far as it is possible to do it.

In order to bring father and son in a closer relation for their mutual good, the custom has sprung up to set aside a week in the month of February to be known as

"FATHER AND SON WEEK."

This year the days of February 16th to 21st, both inclusive, have been selected for this purpose.

I earnestly recommend that every father who has a son will make a special effort to establish a closer relation with him, in order that he may lead him in the paths that he should be led to develop that type of manhood which is so essential to his success.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this fourth day of February, in the year of our Lord, one thousand nine hundred and twenty.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Arbor and Bird Day

The season of spring is with us. Nature is awakening; the trees are budding, and the birds have returned to their summer home. It is a time when we should all be impressed by the beauties of nature and we should be willing to aid her in her effort to please us by ornamenting our home surroundings, par-

ticularly our yards and lawns, by planting flowers and trees, all of which adds beauty to the city and the country.

We should also give our attention to the bird life by building suitable houses or bird homes for them and do all things that will bring these beautiful creatures closer to us, in order that we may have the full enjoyment of their presence.

Nature is kind to us, if we will give her an opportunity. However, she will not entirely unfold her beauty without an effort on our part, and it is with this thought in mind that the Legislature of our state has provided by statute that a day be set aside during the month of May on which the things which I herein call your attention to shall be carried out.

It is important that the school children of the state receive instruction in the value of plant and bird life, and I suggest that sufficient time be set aside for appropriate exercises and lectures by the teachers upon this important subject on the day set apart for it.

In accordance, therefore, with the established law and custom, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby proclaim Friday, the Seventh day of May, 1920,

ARBOR AND BIRD DAY.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this thirtieth day of April, in the year of our Lord, one thousand nine hundred and twenty.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Ship By Truck

In harmony with the action taken by the executives of many other states, I take pleasure in calling the attention of the people of Wisconsin to what has been designated throughout the Union as "National Ship by Truck" week, May 17th to 22nd.

The purpose of this week is to focus the attention of the people on the advantages of the motor truck as a medium of short-haul transportation. In the present congested condition of our railroad facilities, the problem of transportation is an extremely acute one, and any means which tends to relieve this congestion should be encouraged. The encouragement of the use of the motor truck as a means of short-haul transportation, this relieving the railroads of part of their burden, is worthy of our serious consideration.

Joining in the nation-wide "Ship by Truck" week movement, I ask the people of Wisconsin during that week to direct their attention to the important place of truck transportation and its value in assisting to solve our national transportation problem, which today is in a most acute condition.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of this state to be affixed this fifth day of May, 1920.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Convening the Legislature in Special Session

I, Emanuel L. Philipp, Governor of the State of Wisconsin, under and by virtue of Section 4 of Article V of the Constitution of said state, which provides that the Governor shall have power to convene the Legislature on extraordinary occasions, do issue this, my proclamation, to convene the Legislature of said state, at the seat of government at Madison, on the 25th day of May, A. D., 1920, at 2:00 o'clock in the afternoon of that day, to consider and act upon the following subjects of legislative business, to-wit:

1. Amending existing statutes and enacting new laws governing the relations between landlords and tenants, in so far as said relations affect office buildings, tenement houses, apartment houses, flat buildings, duplex buildings and dwelling houses located in cities and in villages in counties having a pop-

ulation of two hundred fifty thousand or over, provided no such law shall affect any dwelling house that is partially occupied by the owner thereof for residential purposes; such new laws to provide protection for tenants by prohibiting unjust and unreasonable rents, compelling landlords to maintain adequate service and protecting tenants against unjust and unreasonable evictions; such new laws to also regulate the business of rent brokers or persons engaged in buying and selling leases, by preventing them from demanding or collecting unjust and unreasonable rents, and such other provisions as may be deemed necessary for the reasonable control of such rentals. Also making an appropriation to the Railroad Commission for the administration of such laws, and likewise an appropriation to pay the expenses incurred by the committee appointed by the Governor to investigate the question of rents.

2. Amending paragraph (b) of subsection (4) of section 20.36 and paragraph (b) of subsection (2) of section 20.39 of the statutes, increasing the mill tax for the support of the normal schools and university.

3. Increasing the appropriations for operation, maintenance and capital account of the university.

4. Providing for the establishment of a state general hospital in connection with the medical school at the Unversity, and for the treatment of patients therein.

5. Making an appropriation creating a revolving fund for the preparation, cost of transportation and distribution of explosives for land clearing and other purposes.

6. Amending paragraph (a) of subsection (2) of section 20.38 of the statutes by increasing the appropriation for the general operation of normal schools.

7. Increasing the appropriation for operation and making an appropriation for equipment of Stout Institute.

8. Increasing the appropriation for operation and capital of the Wisconsin mining school.

9. Amending subsection (2) of section 39.14 of the statutes, relating to salaries for supervising teachers.

10. Amending subsection (2) of section 39.04 of the statutes, relating to salaries of county superintendents of schools.

11. Increasing the minimum salaries of teachers in the pub-

lic schools and increasing the minimum rate of taxation to take care of such salary increase.

12. Increasing the state aid for county training schools.

13. Amending paragraph (a) of subsection (1) of section 40.42 of the statutes, relating to non-resident tuition fees in first class state graded schools offering instruction in the ninth or tenth or in the ninth and tenth grades.

14. Amending the statutes relating to the creation and organization of union free high school districts.

15. Amending subsection (3) of section 41.16 of the statutes, increasing the tax rate for vocational education.

16. Making an appropriation to the Free Library Commission for the operation of the library school.

17. Amending subsection (17) of section 20.17, relating to the industrial home for women.

18. Providing comfort stations at the state fair grounds, and making an appropriation therefor.

19. Making an appropriation to the state inter-department committee on community councils.

20. Amending subsections (1) and (5) of section 59.57 of the statutes, relating to the fees of registers of deeds.

21. Amending sections 959-33 and 959-35b of the statutes, and re-enacting section 959-32 of the statutes of 1917, relating to payment of contractors for public improvements and legalizing proceedings taken and contracts made for such improvements in disregard of chapter 520, laws of 1919.

22. Authorizing cities to issue bonds for the construction of breakwaters.

23. Validating and legalizing bonds heretofore authorized by cities and counties and the proceedings preliminary to such authorization.

24. Authorizing cities of the first class to accept and pay for concrete posts heretofore furnished such cities for the municipal lighting system therein, notwithstanding the contracts therefor were let without calling for bids as provided for by the charter of said cities and notwithstanding said posts were made by a patented machine, and validating contracts heretofore entered into for said posts in disregard of said charter provisions.

25. Authorizing the transfer of any unexpended balance in the Service Recognition fund, created by chapter 667, Laws of 1919, to the general fund for the purpose of carrying out the provisions of chapter 5, Laws of 1919, special session, known as the Educational Bonus Law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this nineteenth day of May, in the year of our Lord, one thousand nine hundred and twenty.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Memorial Day

The American people are deeply indebted to the brave men and noble women who have assumed the burdens of our wars, and who gave their labor, their blood and their tears to our country, not merely for themselves and their own purposes but for the present generation and for those who are yet to come. They willingly made the sacrifice that our country's interest demanded, because of their love for American freedom and American ideals.

In order that the deeds of those who offered their lives in the defense of our country be not forgotten, a custom has been established to set aside a day in the month of May when all industry shall cease and the people devote their time and thought to a review of the human sacrifice that has been made for us. to appropriately decorate the graves of our soldiers and sailors whose final resting place is with us, and to hold patriotic meetings for the purpose of reviewing the heroic deeds of the dead, in order that their memories shall live and that the living may profit by the unselfish examples that the history of our past places before us.

For many years we devoted our thoughts on this solemn occa-

sion to the soldiers and sailors who responded to the call of Abraham Lincoln to preserve this Union of States and establish a country that is truly free. This year we shall also honor the brave men who gave their lives to our country and its ideals during the recent war, and I must not fail to remind you to honor those who fell in foreign lands and whose graves are, therefore, not with us.

It is a day of renewed sorrow in many homes and I ask that you give special consideration to the mothers whose sons did not return, and that each be given an appropriate flower to wear on this day as a mark of appreciation by the people of the state of Wisconsin of the services of her son to his country and the great sacrifice that she has made for us.

We are living in a period when organized government is in peril throughout the world. It is difficult for us to understand why our own country, with a government that is so free that it gives every citizen every wholesome liberty, can be subjected to severe criticism and even threatened by an element of people who have been persuaded to believe that they are being oppressed. Surely the government is responsive to the will of the people and whatever changes are necessary will in due time be made by the people in an orderly way through new representation.

We must not forget the fact that it is but a few months more than a year since the last shot was fired in a great war that upset the economic conditions over the entire world. The economic levels that will set all things right cannot be re-established in a day or a year nor should our government be blamed or even criticised because of conditions that have been forced upon us by Europe.

I believe it to be entirely appropriate upon this day of patriotic devotion, dedicated to the defenders of our country, to admonish the people to remain calm, and true to our government and its institutions, and to have faith in the ability of our chosen representatives to re-establish, so far as government can, conditions that will be fair and just to all, and that the happiness and contentment that prevailed in this country from the foundation of this government up to the time of the beginning of the great world war will return to us, and that the enemies of this republic will again be forced to admit that a govern-

ment by the people, under our organic law, is the best type of government that human genius has been able to invent.

THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, hereby designate Monday, May thirty-first, 1920

MEMORIAL DAY

and I request that the people meet in the schoolhouses and churches and other public meeting places and devote their thoughts to our national ideals, to sing patriotic songs, and to do those things that I have suggested in this proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twentieth day of May, A. D. 1920.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Labor Day

The welfare of labor and the best interests of the state are identical. In a broad sense all who toil are laborers, whether they work with their hands or with their brains, on the farm or in the factory. Labor constitutes the bulk of our citizenship and its welfare is the paramount interest of the state.

Wisconsin has sought to deal fairly with labor. The laws which it has enacted for the benefit of the man who toils are noted the country over for their fairness and liberality.

All history is a record of the advance of the common man and while we have not yet reached ideal conditions, in no other land is the honest toiler more respected or better paid.

Constructive improvements in the conditions of the common laborer are in the line of true social progress. Agitation and radical change, however, lead only to ruin. In Russia today under the "dictatorship of the proletariat", the common man is starved, enslaved and terrorized.

With few exceptions, the working men in Wisconsin believe in

our country and in our institutions. Wisconsin takes rank among the greatest of agricultural and manufacturing states because of the industry and good common sense of its toilers.

Labor is the foundation stone of happiness, wealth and prosperity. Without it our fertile fields would be a wilderness and a barren waste, our great manufacturing plants a thing unknown. Civilization is measured by the yard stick of honest toil. Let us then pay our tribute to the toiler, recognizing that to him is due much of the sum total of the world's happiness.

We must recognize also that only through cooperation between capital and labor can industry be maintained. The greatest need of the present day is a better understanding between management and labor, to the end that there may be harmony and contentment, added production and increased benefits.

I urge upon all to apply the text of the Golden Rule.

I hereby declare Monday, September 6, 1920,

LABOR DAY

and recommend that it be observed as a holiday throughout the state of Wisconsin.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this first day of September, in the year of our Lord, one thousand nine hundred and twenty.

Seal.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
Merlin Hull,
Secretary of State.

Second Anniversary of Armistice Day

November eleventh of this year will be the second anniversary of the armistice which brought about a cessation of the hostilities in World War. It is an anniversary of an event which the people of our country, and in fact the people of the entire civilized world, received with joy because it meant the beginning

of an end of the sacrifice of human life and all the miseries that associated with war.

It is a great satisfaction to us all that the terms of the armistice have been well observed by all the belligerent nations and that despite the fact that our country has been unable to conclude terms of peace with the nations with which we were at war, there has been no disposition to renew hostilities and no further sacrifice of American blood and treasure has been demanded of us.

In our own country we have passed through two years of reconstruction without serious consequences, and no demand has been made upon our young manhood for any further sacrifice to protect the peace and safety of our people at home. All this speaks well for the stability of our population, and again demonstrates to the world that this republic is safe under all conditions.

The late war has again forcefully taught the lesson that a government is no stronger than its military forces and that we are at all times dependent upon those who are capable of rendering military service to protect our homes and firesides against our enemies who may seek to destroy us. We should, therefore, at all times have a proper appreciation of the men and women who have rendered military service, and I call upon the people of Wisconsin to devote as much of this day as they can spare from their labors to a recognition of the services of the survivors of the late war, and I do especially request that our memories of those who lost their lives in the great conflict be revived and that their names be placed before the living as examples of patriotic devotion to our country.

I recommend that an hour be devoted in each and every school to a review of our country's participation in the World War and the service rendered by our soldiers, sailors and nurses, in order that our young people may grow up with a proper appreciation of that service and a better understanding of the duties of citizenship.

I am without authority to declare this day a legal holiday. I feel confident, however, that the people will voluntarily comply with the suggestions that I have expressed in this proclamation

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this fifth day of November, A. D. 1920.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Fire Prevention Day

To protect the welfare of its people is one of the prime functions of government.

In 1919 Wisconsin suffered a fire loss of $5,972,200, nearly $500,000 a month, or over $16,590 per day.

That much wealth in natural and created resources has been turned into ashes, and no insurance moneys can replace these products of forests, fields, mines and human labor.

During last year 73 persons died and 147 were injured through fire in Wisconsin, and 17,207 accidents, 226 of them fatal, in shops, factories, on railroads and in other places of employment were reported to the State Industrial Commission.

The waste of human life and property seriously impedes the progress of the state, and the welfare of its people, and it is well that all seriously consider this waste, and study effective means to eliminate them as far as possible.

NOW THEREFORE, I, Emanuel L. Philipp, Governor of the State of Wisconsin, do hereby designate and proclaim Saturday, October 9, 1920, as

FIRE AND ACCIDENT PREVENTION DAY

And I earnestly recommend that on this day special exercises be held in all school and in other public meeting places to call attention to the needless sacrifice of human lives and waste of property and to effective remedies of prevention.

All factories, schools, hotels and other public and semi-public buildings should be inspected for fire and life hazards.

All property owners should attend to defective chimneys,

stoves, boilers, furnaces, smoke pipes, roofs, electric wiring and the removal of combustible waste materials.

Municipal authorities should give constant attention to better building construction, adherence to building codes and ordinances, and fire protection and fire prevention.

Fire drills should be held on this day in all institutions, factories and schools, and all teachers should give instruction in accident prevention.

I ask that the public press carry to its readers messages of greater safety and care.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this 20th day of September, A. D. 1920.

SEAL.

(Signed)
EMANUEL L. PHILIPP,
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

Thanksgiving Day

We have reached that season of the year when our harvest has been completed; the crops have been gathered and stored, and as we review the results of the year's efforts we become conscious of the fact that we are again a favored people.

The year Nineteen Hundred and Twenty will go into history as one that produced abundant crops, not only in Wisconsin but throughout the length and breadth of our land. Because of these bountiful crops we shall have a sufficient supply of food and even more; we shall have a large surplus of the products of the soil that we can give to the peoples of other lands who have been less fortunate than we.

For this very generous bounty that God by His will permitted to come to us, we should be truly grateful. Not all good things that come to us are of our own making, nor are they wholly due to any virtue of our own. It is, therefore, fitting that we receive these favors of Providence in a spirit of grati-

tude and that in accordance with our American custom we set aside a day to render thanks to Him who gave it for the benefits received and take deeper thought upon the duties which such benefits imposed upon us.

Not all the world is so favorably situated. Across the sea many people are still suffering the pangs of hunger as a result of the great World War. That is particularly true in the countries with which we have been at war.

In view of the large surplus of food produced in our country during this year, let us be generous in our gifts to the women and children and to the helpless of all classes who live in the countries of Europe that have been made barren by the ravages of war. Now that hostilities have ceased and peace has been established, we Americans can well afford to deal with our former enemies in a spirit of charity and particularly with those who because of their youth or age or other reasons did not take up arms against us.

We have passed through two years of the period of reconstruction following the close of the war. It is a genuine blessing for us that hostilities were not again renewed and that we have been able to pass through this critical period in our own country without any serious disturbances, and while we have not yet reached the point where we can say that pre-war conditions have been restored, we have reason to believe that we shall find our economic balance before long and that good order will prevail for the balance of the reconstruction period. It has in some respects been a critical time; however, the people have borne it all with patience, which speaks well for the stability of our population and the popularity of our government with its people.

We have passed through a great and important election. The will of the people has been honestly recorded and the minority has calmly accepted the result, and the people of every shade of political belief seem to have joined in the wish that the new administration may be successful and that it will promptly conclude treaties of peace with the nations with which we have been at war, and establish order and good will and faith in the government at home.

These events are all of first importance to our people, and we must not be ungrateful for God's guidance in bringing them about. Therefore, I, Emanuel L. Philipp, Governor of the State

of Wisconsin, in conformity with the proclamation of the President of the United States of America, do hereby designate and proclaim Thursday, the twenty-fifth day of November

THANKSGIVING DAY

and I recommend that the people meet on that day in their accustomed places of worship and acknowledge their indebtedness to God for the favors that have come to us during the past year and ask His guidance in the settlement of the many difficult tasks we have before us.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this seventeenth day of November, in the year of our Lord, one thousand nine hundred and twenty.

SEAL.

(Signed)
EMANUEL L. PHILIPP
Governor.

By the Governor:
MERLIN HULL,
Secretary of State.

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